

A SUMMARY OF LEGISLATION
TRULY AGREED TO AND FINALLY PASSED

by the

96th General Assembly

Second Regular Session



2012

Prepared by the
Divisions of Research, Computer Information Systems
and Administration
of the
MISSOURI SENATE

SPONSOR: Rupp

HANDLER: Schneider

SB 450 – Current law provides that school board members of urban school districts serve a term of six years whereas board members in a seven director school district serve a term of three years. This act provides that any school district in St. Charles County that becomes an urban school district because of the 2010 federal decennial census will retain terms of three years for its school board members. In addition, school board member elections will continue to be held at the general municipal election in April of each year.

This act contains an emergency clause.

This act is similar to HB 1048 (2012) and HB 1626 (2012).

MICHAEL RUFF

SPONSOR: Schaaf

HANDLER: Molendorp

SS/SB 464 - This act prohibits the establishment, creation, or operation of a state-based health insurance exchange unless the exchange is created by a legislative act, an initiative petition, or referendum. The act specifically prohibits the establishment of a state-based health insurance exchange by an executive order issued by the Governor.

The act further prohibits state agencies from establishing programs or promulgating any rules or policies to establish, create, administer or otherwise operate a state-based health insurance exchange unless the agency has received statutory authority to create it. The act specifically prohibits agencies from performing responsibilities of a state-based health insurance exchange unless authorized by statute.

Under the terms of this act, no department, agency, instrumentality, or political subdivision of this state shall apply for, accept or expend federal moneys related to the creation, implementation or operation of a state-based health insurance exchange or a federally-facilitated health benefit exchange unless such acceptance or expenditure is authorized by statute or an appropriations bill.

The act prohibits agencies from entering into agreements to establish or operate a federally-facilitated health benefit exchange unless the agency has received statutory authority to enter into such agreements. In addition, the act prohibits departments and agencies from providing assistance or resources of any kind to any federal agency or department relating to the creation of a federally-facilitated health benefit exchange unless the assistance or resources are authorized by state statute or the assistance is mandated by federal law.

The act specifically provides any taxpayer of this state or any member of the general assembly with legal standing to bring suit against the state of Missouri or any official, department, division, agency, or political subdivision of this state which is in violation of the act in any court with jurisdiction to enforce the provisions of the act.

The act requires courts to grant attorney's fees, court costs, and reasonable expenses to taxpayers or legislators who are successful in bringing a lawsuit against the state or one of its agencies. The act further provides that in no case shall the award of attorney's fees, court costs, or reasonable expenses be paid from the legal defense fund, nor shall any department, division, agency, or political subdivision of this state request, or be granted, additional appropriations in order to satisfy an award made under this act.

SPONSOR: Schaaf

HANDLER: Molendorp

This act, if approved by the General Assembly, will be submitted to the voters for their approval in November of 2012.

This act is similar to SB 560 (2012).

STEPHEN WITTE

SPONSOR: Dixon

HANDLER: Smith

HCS/SS/SCS/SB 469 - This act modifies provisions regarding the updating and review of administrative rules. The Secretary of State is given the authority to make non-substantive changes to the Code of State Regulations to update state agency information, such as name or address changes.

This act provides that every state administrative rule shall be subject to a periodic review by the appropriate state agency every five years. The act creates a schedule for the periodic review of rules by their title in the Code of State Regulations. The Joint Committee on Administrative Rules (JCAR) shall cause notice to be published in the Missouri Register indicating the rules to be reviewed and also notice of the 60 day comment period. Each agency with rules under review shall prepare a report with the results of the periodic rule review. The report shall consider whether the rule: continues to be necessary or is obsolete; duplicates, overlaps or conflicts with other state, federal or local rules; needs changes or should be rescinded in order to reduce regulatory burdens on businesses, individuals or political subdivisions, or to eliminate unnecessary paperwork; and whether a less restrictive, more narrowly tailored rule could adequately protect the public or accomplish the same statutory purpose. For rules that affect small business, the agency must consider the specific public purpose or interest for adopting the rules and other reasons to justify its continued existence.

The subject agency must file its report with JCAR and the Small Business Regulatory Fairness Board within one year of notice being filed by JCAR in the Missouri Register. If the agency does not file the report, and does not receive an extension for good cause, then JCAR must notify the Secretary of State to publish notice in the Register as to the rules that are delinquent. The rules shall be void after the first sixty legislative days of the General Assembly's next regular session unless the agency cures the delinquency by providing the required report within 90 days after publication in the Register.

If a petition is filed with an agency requesting the adoption, amendment or rescission of a rule, the agency shall respond within 60 days with its determination as to whether a rule should be adopted, amended, or removed. Copies of the agency response shall be sent to JCAR and the Commissioner of Administration. A written petition shall constitute the required notice for purposes of current law provisions authorizing attorney fees and expenses in cases where an agency's actions were based on a statement of general applicability that should have been promulgated as a rule.

The act removes the requirement in current law that every agency with rules that affect small business must submit a list of such rules and a report to the General Assembly the and Small Business Regulatory Fairness Board every two years. This report contains the same information required in bill as part of the periodic review of all administrative rules.

This act is similar to SB 350 (2011) and HCS/HB 697 (2011).

JIM ERTLE

SPONSOR: Dixon

HANDLER: Burlison

CCS/HCS/SS/SCS/SB 470 - This act modifies various provisions relating to transportation

DYED FUEL - Current law prohibits the operation of a motor vehicle with dyed fuel on a public highway except in certain circumstances. This act creates an additional exception for vehicles associated with a public utility or rural electric cooperative engaged in the restoration of utility service during a state of emergency (Section 142.932). This provision is identical to SB 701 and is contained in the truly agreed to version of HB 1402(2012). The provision may also be found in SCS/HCS/HB 1640 (2012).

TRANSPORTING RADIOACTIVE MATERIALS - This act modifies the method in which fees assessed for the transporting radioactive waste are calculated. Under current law, a fee of \$1,800 is charged for each cask transported through or within the state by truck of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. In addition, all such cask shipments are subject to a surcharge of \$25 per mile for every mile over 200 miles traveled within the state. Under this proposal, the fees are assessed per truck rather than per cask. This provision is also contained in the truly agreed to version of SB 480 (Section 260.392).

BIENNIAL REGISTRATION OPTION FOR LARGER VEHICLES - This act expands the number of commercial motor vehicle owners who will have the option of biennially registering their commercial motor vehicle. Under current law, the director may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of 12,000 pounds gross weight, the option of biennially registering motor vehicles. This act provides this option to owners of motor vehicles, other than commercial motor vehicles licensed in excess of 54,000 pounds (Section 301.147). This provision is similar to the one contained in the truly agreed to version of SB 568 (2012). The provision has an effective date of July 1, 2015.

FAILURE TO APPEAR IN COURT - Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the Director of Revenue of such fact and the director will suspend the offender's driver's license until the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). This provision is also contained in the truly agreed to versions of HB 1402, SB 480 and SB 568 (2012). The provision may also be found in SB 443 (2012) and the truly agreed to version of HB 430 (2011) and HCS/HB 818 (2011).

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (Sections 302.700 to 302.780) and makes modifications to current definitions relating to commercial driver license requirements to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

- 1) CDLIS driver record;
- 2) CDLIS motor vehicle record;
- 3) Commercial driver's license downgrade;

SPONSOR: Dixon

HANDLER: Burlison

4) Driver applicant;

5) Employee;

6) Endorsement;

7) Foreign;

8) Medical examiner;

9) Medical variance (Section 302.700). This provision is also contained in the truly agreed to versions of SB 470, SB 480, SB 568 and HB 1402 (2012). The provision may also be found in SB 443 (2012) and the truly agreed to version of HB 430 (2011) and HCS/HB 818 (2011).

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process.

Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintain such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information to the driver record within 10 calendar days of receipt and the information will become part of the CDLIS driver record. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification. This provision is also contained in the truly agreed to versions of SB 470, SB 480, SB 568 and HB 1402 (2012). This provision is also contained in SB 443 (2012), the truly agreed to version of HB 430 (2011), HCS/HB 818 (2011) and HB 820 (2011) (Section 302.768).

The CDL medical certification compliance sections (Sections 302.700 and 302.768) shall become effective on the date the director begins accepting commercial driver license medical certifications or on May 1, 2013, whichever occurs first.

MOVE OVER LAW - This act amends Missouri's move over law so that drivers of motor vehicles approaching stationary emergency vehicles or vehicles owned by the commission and operated by Department of Transportation employees displaying amber or amber and white lights shall proceed with caution by making a lane change away from the stationary vehicle, if possible. The act further modifies the definition of "emergency vehicle" to include any vehicle owned by the commission and operated by a Department of Transportation employee that is marked as an emergency response or motorist assistance vehicle (Section 304.022). This provision is also contained in the truly agreed to versions of SB 568 and SB 611 (2012). The provision may also be found in HB 1040 (2012).

USE OF MUNICIPAL STREETS - Under current law, municipalities may enact ordinances that limit the use of certain designated streets to passenger vehicles. This act modifies this authorization by requiring municipalities to allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. No

SPONSOR: Dixon

HANDLER: Burlison

municipality may pass an ordinance that denies the use of commercial motor vehicles on all routes within the municipality. This provision may be found in the truly agreed to versions of SB 480 and HB 1402 (2012). The provision is also contained in SB 656 (2012)(Section 304.120).

KANSAS CITY COMMERCIAL ZONE - This act expands the Kansas City commercial zone by including the stretch of State Route 45 from its intersection with Interstate 29 to the city limits of Iatan. This provision may be in the truly agreed to versions of SB 568, SB 470, and HB 1402 (2012)(Section 304.190).

HOUSEHOLD GOODS MOVERS - This act modifies provisions relating to the regulation of household goods movers. These provisions may also be found in the truly agreed to version of HB 1402 (2012). In addition, provisions similar in nature may be found in the truly agreed to version of CCS/SS/SCS/HCS/HB 430 (2011) and in SB 58 (2011).

Under the terms of this act, household goods movers will no longer have to file their schedule of rates, fares and charges with the state highways and transportation commission. A household goods mover must maintain and publish its schedules of rates, fares, rules, and charges in its stations and offices. Such rates shall be available for inspection by the commission, shippers, and the public (Sections 387.040 and 387.050).

This act prohibits household goods movers from participating in joint tariffs. The act allows joint tariffs relating to the transportation of household goods over through routes or in interline service involving two or more separate motor carriers. Carriers of household goods participating in through routes or interline service shall publish joint tariffs or individual tariffs for each participating carrier (no longer have to file joint tariffs with the commission). In addition, household goods movers will no longer be required to file sworn copies of every contract with other motor carriers with the commission (Sections 387.080 and 390.116).

Under current law, household goods carriers are prohibited from using schedules of rates that divide the state into territorial rate areas. This act removes this restriction (Section 387.110). Under the terms of this act, the commission no longer has the authority to fix rates with reference to the transportation of household goods. Rates published by household goods movers are presumed to prima facie lawful (Section 387.207).

Under this act, all rate orders issued by the commission affecting the transportation of household goods, to the extent such rate orders prescribe any minimum or maximum rates for the transportation of such goods, shall be vacated. Other provisions contained in the rate orders unrelated to prescribing maximum or minimum rates shall not be vacated (Section 387.355). The act eliminates the requirement that household goods carriers or non charter passenger carriers demonstrate that their proposed service will serve a useful present or future public purpose when applying for a certificate of authority or permit. Concomitantly, applicants for household goods or passenger certificates or permits will not have to satisfy the public convenience and necessity test when proposing a new service, an extension of existing service, or a transfer of authority. An applicant for a household goods or passenger certificate of authority or permit will have to show that they are fit, willing, and able to perform the service, and that they will conform to other standards established by law.

Under this act, the commission shall not restrict any certificate or permit authorizing the transportation of household goods or passengers with reference to any route or routes (Sections 390.051

SPONSOR: Dixon
and 390.061).

HANDLER: Burlison

Under this act, any geographic restriction or provision limiting a household goods carrier's scope of authority to particular routes within this state contained in a certificate or permit, or both, which was issued prior to August 28, 2012, and any similar provision contained in a carrier's tariff schedule filed prior to such date, shall be deemed void. In lieu of the geographic restrictions expressed in such certificates, permits, or tariff schedules, a motor carrier shall be authorized to provide intrastate transportation of household goods between all points and destinations within the state until such time the certificates, permits, and tariff schedules are reissued or amended to reflect the motor carrier's statewide operating authority (Section 390.280).

Beginning August 28, 2012, no certificate of authority or permit shall be issued or renewed unless the applicant demonstrates that the applicant has workers' compensation insurance coverage that complies with Missouri law for all its employees. If any household goods carrier is found by the division of workers' compensation to be out of compliance with the workers' compensation law, the division shall report such fact to the state Highways and Transportation Commission. The commission shall suspend the household goods carrier's certificate or permit until such time the carrier demonstrates that it has procured workers' compensation insurance coverage (Section 390.054).

This act requires the commission to establish consumer protection requirements for motor carriers transporting household goods in intrastate commerce (Section 387.137). This act requires the Division of Motor Carriers to develop a complaint process. The complaint process shall keep a record for each complaint and shall record findings made at each step of the complaint process, provide an explanation for a complaint dismissal, and provide other information (Section 387.139).

Under this act, the state highways and transportation commission is authorized to enter into interagency agreements with the Regional Taxicab Commission to deal with any public safety issues that may arise as a result of the act's deregulation provisions (Sections 390.051 and 390.061).

TEMPORARY PERMIT TAGS - This act modifies the process for issuing temporary permits to motor vehicle owners. Under the terms of the act, the director of revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50). Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates. The act allows the director to reissue and extend the use of a temporary permit during the time period a title and registration are being obtained. Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to

SPONSOR: Dixon

HANDLER: Burlison

the law enforcement community of the state of Missouri (Section 301.140). This provision of the act is also contained in the truly agreed to versions of SB 568, SB 611, and HB 1329 (2012). A similar provision may also be found in SB 818 (2012). This portion of the act becomes effective the date the department begins issuing the new temporary permits or July 1, 2013, whichever occurs first. The act also sunsets the temporary permit provisions on July 1, 2019.

MISSOURI AUTO INSURANCE PLAN - This act amends Missouri Auto Insurance Plan (Missouri's automobile insurance residual market mechanism) law so that insurance companies that opt-out from servicing their share of high risk drivers shall be assessed a fee based on the insurance company's market share. The act requires the plan to contract with an entity to accept and service policies for companies that do not elect to accept and service policies. By October 1 of each year, companies that elect to accept applicants for policies for the next calendar year must notify the plan. Companies that do not elect to service applicants and policies shall pay a fee to the plan for providing such services. The fee shall be based on the company's market share (Section 303.200). This provision is also contained in the truly agreed to versions of SB 470, SB 480, and HB 1402 (2012).

SALES TAX EXEMPTION FOR CERTAIN VEHICLES - This act provides a sales tax exemption for motor vehicles registered in excess of 54,000 pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight. The sales tax exemption also extends to the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles (Section 144.030.1(4)). This provision is also contained in the truly agreed to versions of SB 480 and HB 1402 (2012).

RECREATIONAL OFF-HIGHWAY VEHICLES - This act modifies the definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds (Section 301.010).

Under the act, recreational off-highway vehicles shall not be operated on highways except for:

- (1) Governmental owned and operated recreational off-highway vehicles for official use;
- (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premise purposes;
- (3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. This exception shall not authorize the operation in a municipality unless the municipality authorizes the operation by permit;
- (4) Recreational off-highway vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads;
- (5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;

SPONSOR: Dixon

HANDLER: Burlison

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

No person shall operate a recreational off-highway vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational off-highway vehicle on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover. The recreational off-highway vehicle provisions may be found in SB 714 (2012) and the truly agreed to versions of SB 480 and HB 1402 (2012)(section 304.033).

ADDITIONAL THIRD LICENSE PLATE - This act allows motorists to purchase an additional temporary license plate that matches an existing or newly issued plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the actual plate. The fee for the additional temporary license plate shall be \$7.50. The third plate may only be used on the vehicle with the matching plate, and the additional third plate must be clearly recognizable as a third plate and only used for such purposes. This provision is also contained in the truly agreed to version of HB 1402 (2012). This provision is similar to SB 843 (2012) and HB 1958 (2012)(section 301.140).

SPECIAL EVENT MOTOR VEHICLE AUCTION LICENSE - This act allows the Department of Revenue to issue a special event motor vehicle auction license to an applicant for the purpose of auctioning motor vehicles if 90% or more of the vehicles are at least 10 years old or older. Licensees shall auction no more than 3% of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners. Auctions can be held for no more than three consecutive days, but no more than 3 times in a calendar year by the same licensee. A report must be sent to the director within 10 days of the conclusion of the special event motor vehicle auction on a department-approved form specifying the make, model, year, and vehicle identification number of every vehicle included in the auction. Anyone violating this provision will be guilty of a Class A misdemeanor and will be charged a \$500 administrative fee payable to the department for each vehicle auctioned in violation of this provision. A special event motor vehicle auction will be considered a public motor vehicle auction for purposes of licensing and inspection of certain documents and odometer readings; however, the licensee will not be required to have a bona fide established place of business. Applications to hold a special event motor vehicle auction must be received by the department at least 90 days prior to the event. Applicants must be registered to conduct business in this state, pay a licensing fee of \$1,000, and be bonded or have an irrevocable letter of credit in the amount of \$100,000. Applicants will be responsible for ensuring that a sales tax license or special event sales tax license is obtained if required. The special event motor vehicle auction license provision is similar to the provisions contained in the truly agreed to version of HB 1402 (2012). The provision is also similar to ones contained in SB 131 (2011), SB 167 (2011), SB 716 (2010), CCS/SS/SCS/HB 2111 (2010), and HB 979 (2009)(Section 301.580).

SPONSOR: Dixon

HANDLER: Burlison

VETERAN DESIGNATION ON DRIVER LICENSE - The allows a person to apply to the Department of Revenue to obtain a veteran designation on a driver's license or identification card upon providing a United States Department of Defense discharge document, known as a DD Form 214, showing a discharge status of "honorable" or "general under honorable conditions" and the payment of the authorized fees for the license or card. The department may determine the appropriate placement of the designation on a license or card (Section 302.185 and section 302.188).

GROSS WEIGHT LIMITATION FOR CERTAIN VEHICLES - Under current law, the total gross weight of a vehicle or combination of vehicles hauling livestock on U. S. Highway 36 from St. Joseph to U. S. Highway 65 and on U. S. Highway 65 from the Iowa state line to U. S. Highway 36 cannot exceed 85,500 pounds. This act expands the gross weight limitation on U.S. Highway 36 eastward from U.S. Highway 65 to U.S. Highway 63. The act further applies the gross weight limitation exception to U.S. Highway 63, from the Iowa state line to U.S. Highway 36, and from U.S. Highway 36 to Missouri Route 17.

The act further allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system. This provision of the act shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways. This provision is similar to one contained in HB 1212 (2012)(Section 304.180). This provision is similar to the one contained in the truly agreed to version of SB 568 (2012).

STEPHEN WITTE

SPONSOR: Stouffer

HANDLER: Burlison

CCS/HCS#2/SCS/SB 480 - This act modifies various provisions relating to the regulation of motor vehicles and transportation.

BI-STATE FARE EVASION - This act requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities and conveyances to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency. This provision may be found in truly agreed to version of HB 1402 (2012). The provision is also contained in SB 508 (2012), SB 347 (2011) and the truly agreed to version of HB 430 (2011) (Section 70.441).

SALES TAX EXEMPTION FOR CERTAIN VEHICLES - This act provides a sales tax exemption for motor vehicles registered in excess of 54,000 pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight. The sales tax exemption also extends to the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. This provision may be found in the truly agreed to version of HB 1402 (2012) (Section 144.030.1(4)).

PURPLE HEART TRAIL - The act designates the portion of Interstate 70 in the state of Missouri as the "Purple Heart Trail." This provision is also contained in HB 1906 (2012)(Section 227.513).

HAULING OF RADIOACTIVE WASTE -This act modifies the method in which fees assessed for the transporting radioactive waste are calculated. Under current law, a fee of \$1,800 is charged for each cask transported through or within the state by truck of high-level radioactive waste, transuranic radioactive

SPONSOR: Stouffer

HANDLER: Burlison

waste, spent nuclear fuel or highway route controlled quantity shipments. In addition, all such cask shipments are subject to a surcharge of \$25 per mile for every mile over 200 miles traveled within the state. Under this proposal, the fees are assessed per truck rather than per cask. This provision is also contained in the truly agreed to version of SB 470 (Section 260.392). (Section 260.392).

RECREATIONAL OFF-HIGHWAY VEHICLE DEFINITION - This act modifies definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds (Section 301.010). This provision is contained in the truly agreed to version of HB 1402 (2012). This provision is similar to one contained in SCS/SB 714 (2012).

FAILURE TO APPEAR IN COURT - Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the director of revenue of such fact and the director will suspend the offender's driver's license until the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). This provision is contained in the truly agreed to versions of SB 470, SB 568, and HB 1402 (2012). The provision is also contained in the perfected version of SB 443 (2012) and the truly agreed to version of HB 430 (2011) and HCS/HB 818 (2011).

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (Sections 302.700 to 302.780) and makes modifications to current definitions relating to commercial driver license requirements to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

- 1) CDLIS driver record;
- 2) CDLIS motor vehicle record;
- 3) Commercial driver's license downgrade;
- 4) Driver applicant;
- 5) Employee;
- 6) Endorsement;
- 7) Foreign;
- 8) Medical examiner;
- 9) Medical variance (Section 302.700).

SPONSOR: Stouffer

HANDLER: Burlison

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process. Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintain such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information to the driver record within 10 calendar days of receipt and the information will become part of the CDLIS driver record. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification (section 302.768).

The CDL medical certification compliance sections (Sections 302.700 and 302.768) shall become effective on the date the director begins accepting commercial driver license medical certifications or on May 1, 2013, whichever occurs first (see Section C).

The CDL provisions may found in the truly agreed to versions of SB 470, 568, and HB 1402 (2012). Similar provisions may be also be found in the perfected version of SB 443 (2012), the truly agreed to version of HB 430 (2011), HCS/HB 818 (2011) and HB 820 (2011)

OUTBOARD MOTOR TITLES - Under the terms of this act, any new outboard motor purchased by a dealer from the manufacturer on or after July first of any year shall be labeled with the "Year Manufactured" of the immediately following calendar year unless the manufacturer indicates a specific model or program year (Section 306.532). This provision may also be found in the truly agreed to version of SB 568 and SB 719 (2012). This provision is similar to the one contained in HB 1759 (2012) (2012).

COMMUNITY SERVICE REQUIREMENTS FOR PRIOR AND PERSISTENT OFFENDERS - Current Missouri law (Section 577.023) allows prior and persistent offenders to participate in and successfully complete a DWI court in lieu of jail time or community service. A prior or persistent offender may escape the statutory minimum days of imprisonment by performing community service or successfully completing a DWI court program. Federal law, however, does not authorize DWI courts as an alternative to mandatory jail or community service. Under the terms of this act, prior and persistent offenders may avoid the minimum days of imprisonment by performing community service and completing a DWI court program, if such program is available. The DWI court program or other treatment program must include the minimal periods of community service.

NATIONAL WILD TURKEY FEDERATION SPECIAL LICENSE PLATE - This act allows members of the National Wild Turkey Federation to obtain specialty license plates bearing their organization's name under certain conditions (section 301.4036).

MISSOURI AUTO INSURANCE PLAN - This act amends Missouri Auto Insurance Plan (Missouri's automobile insurance residual market mechanism) law so that insurance companies that opt-out from servicing their share of high risk drivers shall be assessed a fee based on the insurance company's market share. The act requires the plan to contract with an entity to accept and service policies for companies

SPONSOR: Stouffer

HANDLER: Burlison

that do not elect to accept and service policies. By October 1 of each year, companies that elect to accept applicants for policies for the next calendar year must notify the plan. Companies that do not elect to service applicants and policies shall pay a fee to the plan for providing such services. The fee shall be based on the company's market share (section 303.200). This provision may also be found in the truly agreed to versions of SB 470 and HB 1402 (2012).

NRA SPECIAL LICENSE PLATE - This act allows members of the National Rifle Association to obtain specialty license plates bearing their organization's name under certain conditions (Section 1).

COLLEGIATE SPECIALTY LICENSE PLATES - Under the terms of this act, only community colleges or other institutions of higher education located in Missouri may authorize its official emblem to be use on specialty license plates (Section 301.449). In addition, the act prohibits collegiate or university specialty license plates from being established under the administrative process set forth in section 301.3150 (Section 301.3150).

TRANSPORTING RADIOACTIVE MATERIALS - This act modifies the method in which fees assessed for the transporting radioactive waste are calculated. Under current law, a fee of \$1,800 is charged for each cask transported through or within the state by truck of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. In addition, all such cask shipments are subject to a surcharge of \$25 per mile for every mile over 200 miles traveled within the state. Under this proposal, the fees are assessed per truck rather than per cask (Section 260.392). This provision is also contained in the truly agreed to version of SB 470 (2012).

AMERICAN RED CROSS SPECIAL LICENSE PLATES - This act allows motorist to obtain specialty license plates bearing the emblem of the American Red Cross under certain conditions (section 301.4040) (HA 4).

USE OF MUNICIPAL STREETS - Under current law, municipalities may enact ordinances that limit the use of certain designated streets to passenger vehicles. This act modifies this authorization by requiring municipalities to allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. No municipality may pass an ordinance that denies the use of commercial motor vehicles on all routes within the municipality. This provision may be in the truly agreed to version of HB 1402 (2012) (Section 304.120).

RECREATIONAL OFF-HIGHWAY VEHICLES - This act modifies the definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds. This section is also contained in the truly agreed to version of HB 1402 (2012) and HB 1807 (2012) (Section 301.010).

Under the act, recreational off-highway vehicles shall not be operated on highways except for:

- (1) Governmental owned and operated recreational off-highway vehicles for official use;
- (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premise purposes;

SPONSOR: Stouffer

HANDLER: Burlison

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. This exception shall not authorize the operation in a municipality unless the municipality authorizes the operation by permit;

(4) Recreational off-highway vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

No person shall operate a recreational off-highway vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational off-highway vehicle on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover. The recreational off-highway vehicle provisions may be found in the truly agreed to versions of HB 1402 and HB 1807 (2012). The provisions had their genesis in SB 714 (2012)(Section 304.033).

DISTRIBUTION AND USE OF TAXES USED FOR ROAD AND BRIDGE PURPOSES - This act amends the statutes to effectuate a settlement reached as a result of the decision handed down in *Gladstone Special Road District No.3 of Clay County v. Clay County*, 248 S.W.3d 60 (Mo.App. 2008). Under current law, section 67.548 allows certain counties (Platte and Clay) to use sales tax proceeds authorized in another statute for road and bridge purposes. However, if the county commission reduces a special road and bridge tax levy and such reduction reduces the amount of revenue received by cities and special road districts in that county, then the county commission must set aside to the credit of such cities and road districts an amount from the sales tax the cities and road districts would have received under the special road and bridge tax levy. This act modifies the current version of the statute by providing that such counties may enter into agreements with cities and special road districts on how to distribute funds to such entities for road and bridge purposes. The act further eliminates the requirement that the counties set aside an amount from the sales tax to cities and special road districts to "make up" for lost special road and bridge tax levy fund revenues, and instead provides that if the annual special road and bridge levy is not set at a level of at least 14 cents on each \$100 assessed valuation, the county shall allocate additional funds from any available county source to such political subdivisions within the county in an amount that is equal to the funding level of 14 cents on each \$100 assessed valuation. The act further provides that any city which contains at least 50% of a special road district shall be entitled to receive the special road

SPONSOR: Stouffer

HANDLER: Burlison

district's portion of any funds not paid through the special road and bridge levy (Section 67.548).

The act also amends Missouri Community Improvement District Act. The act allows the governing body of Kansas City to establish a community improvement district in Clay County by filing a petition. The only funding method available to a community improvement district formed by this procedure is a real property tax (Section 67.1421). In order for Kansas City to create a community improvement district under the terms of this act, its governing body must call for an election after it holds a public hearing. The issue of creating the community improvement district and its funding methods (real property tax) must be submitted to the qualified voters of the proposed district (Sections 67.548, 67.1421, 67.1422, and 67.1561).

DARRELL B. ROEGNER MEMORIAL HIGHWAY - This act designates a portion of Highway 64/40 in St. Charles County as the "Darrell B. Roegner Memorial Highway" (Section 227.509). This provision may also be found in the truly agreed to version of HB 1807 (2012).

TROOPER FRED F. GUTHRIE MEMORIAL HIGHWAY - TROOPER FRED F. GUTHRIE JR. MEMORIAL HIGHWAY - This act designates a portion of Interstate 29 in Platte County as the "Trooper Fred F. Guthrie Jr. Memorial Highway". This provision is also contained in HB 1807 (Section 227.510). This provision may also be found in the truly agreed to version of HB 1807 (2012).

CASS COUNTY - THE BURNT DISTRICT SPECIAL LICENSE PLATE - This act modifies provisions relating to the "CASS COUNTY - THE BURNT DISTRICT" special license plate. Under current law, 80% of the \$25 annual contribution fee is distributed to the Cass County public safety and 20% of the fee is distributed to the Cass County parks and recreation department. Under the terms of the act, the distribution of the annual contribution fee is modified so that 70% of the fee is distributed to public safety, 15% is distributed to the Cass County Historical Society, and 15% is distributed to the Cass County parks and recreation department.

The act further specifies that prior to the issuance of the specialty personalized plate, the Department of Revenue must be in receipt of an application as prescribed by the department director and be accompanied by a list of at least 200 potential applicants, the proposed art design for the specialty plate, and an application fee not to exceed \$5,000. The act provides that the special license plate shall be redesigned unless the organization pays the department director in advance for all redesigned plate fees. This provision may also be found in the truly agreed to version of HB 1807 (2012). This provision is also contained HB 1269 (2012)(Section 301.3161).

IGNITION INTERLOCK ENHANCED REQUIREMENTS - Under this act, a person whose driving privilege has been denied for 10 years for 3 or more DWI offenses, or for 5 years for 2 intoxication-related traffic offenses within a five-year period shall be required to use an ignition interlock device that has photo identification technology and global positioning system features when their license is reinstated or whenever a limited driving privilege is granted (Section 302.060). If monthly monitoring reports show during the period of reinstatement that the ignition interlock device has registered blood alcohol concentration readings above the set point established by the Department of Transportation, or that the person has tampered with or circumvented the ignition interlock device, then an additional 6 months will be added to the person's reinstatement (Section 302.060).

Under current law, a person who has been convicted of a first time DWI or BAC is assessed points and receives a license suspension of 30 days ("hard walk"), followed by a 60 day restricted driving

SPONSOR: Stouffer

HANDLER: Burlison

privilege. Under this proposal, a person who chooses to install an ignition interlock device shall serve a 15 day suspension, followed by a 75 day period of restricted driving privilege. The person's license will be reinstated following the 75 day period if otherwise eligible by law. If the monthly monitoring reports shows a violation during this 75 day restricted driving privilege, then the person's license will not be reinstated until the person completes an additional 75 day period of restricted driving privilege without any such violations (Section 302.304.5). The act provides similar measures for persons whose driver's license have been suspended under the administrative process (Section 302.525).

Under current law, a person who has two or more DWI or BAC convictions, must have an ignition interlock device installed in order to have his or her driver license reinstated. The ignition interlock device must be maintained on the offender's vehicles for a period of at least 6 months. Under this act, if monthly monitoring reports show during the period of reinstatement that the ignition interlock device has registered blood alcohol concentration readings above the set point established by the department of transportation, or that the person has tampered with or circumvented the device, then an additional six months will be added to the person's reinstatement (Section 302.304.17).

Under current law, persons with 5 year or 10 year license denials because of multiple DWI or other intoxication-related traffic offenses may seek a limited driving privilege after serving 2 or 3 years of the license denial. Under the terms of this act, such persons may seek a limited driving privilege after only serving 45 days of the denial or disqualification period. In addition, this act allows a person who has his or her license revoked for 2 alcohol-related enforcement contacts within 5 years to seek a limited driving privilege after completing the first 45 days of the 1 year revocation. Currently, such a person may be not eligible for a limited driving privilege (Section 302.309).

The ignition interlock provisions have an effective date of October 1, 2013 (Sections 302.060, 302.304, 302.309, and 302.525).

STEPHEN WITTE

SPONSOR: Cunningham

HANDLER: Kelly

HCS/SCS/SB 485 - Currently, the filing of a financing statement is not necessary to perfect a security interest in property subject to certain statutes, regulations, and treaties. Such a filing is currently necessary for property held as inventory held for sale or lease by a person in the business of leasing certain goods. This act removes that exception.

Currently, persons who perform labor on aircrafts and their parts and equipment who obtain a written memorandum of the work or material furnished signed by the owner, have a lien on such property. This act allows the memorandum to be signed by the authorized agent of the owner, or person in lawful possession of the property.

Currently, persons who perform labor on aircrafts, at a written request of an owner that contains the maximum amount to be charged for labor, has a lien on the property. This act allows persons who perform labor on parts or equipment of aircrafts to have a lien on the item in such an instance.

Currently, aircraft liens are required to be filed 30 days after surrendering the property. This act extends that time period to 180 days.

Currently, on a refinance of a loan secured by a watercraft, motor vehicle, or trailer, a lien is perfected

SPONSOR: Cunningham

HANDLER: Kelly

by delivering the notice of lien to the director of revenue. The act modifies this provision only to apply to refinances by different lenders on prior loans.

Notice is required by certified instead of registered mail to establish a hospital lien.

This act is similar to SB 159 (2011), SCS/HCS/HB 1400 (2012), HCS/HB 1256 (2012), HB 1153 (2012), CCS/HCS/SCS/SB 635 (2012), and HCS/SCS/SB 726 (2012).

CHRIS HOGERTY

***** SB 489 *****

SPONSOR: Munzlinger

HANDLER: Franz

SS/SCS/SBs 489 & 637 - Under current law, a person commits a Class A misdemeanor if he or she possesses, manufactures, transports, repairs, or sells a switchblade knife. This act limits the prohibition to the possession, manufacture, transport, repair or sale of a switchblade knife when such uses violate federal law, and makes the crime a Class C felony.

Training requirements for concealed carry endorsement applicants were increased in HB 294 (2011). This act adopts a grandfather clause for those who were issued a firearms safety training certificate prior to the date the standards were increased, so these certificate-holders can receive a concealed carry endorsement without having to retake a training course.

This act contains an emergency clause.

MEGHAN LUECKE

***** SB 498 *****

SPONSOR: Munzlinger

HANDLER: Shumake

CCS/HCS/SCS/SB 498 - Under current law, cities are prohibited from passing laws that restrict certain 501(c)(3) organizations from operating retail businesses that sell donated items. This act expands the law to include 501(c)(19) organizations.

This act contains an emergency clause.

ERIKA JAKUES

***** SB 562 *****

SPONSOR: Dixon

HANDLER: Thomson

HCS/SCS/SB 562 – Current law provides that the board of governors of Missouri Western State University may convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2014. This act would also allow the board of governors of Missouri Western, the University of Central Missouri, Missouri State University, Missouri Southern State University; the board of regents of Southeast Missouri State University, Northwest Missouri State University, or Harris-Stowe State University; or the board of curators of Lincoln University to convey or transfer the title to certain real property, except in fee simple, without authorization from the General Assembly until August 28, 2017.

This act is identical to HB 1041 (2012).

SPONSOR: Dixon

HANDLER: Thomson

This act contains an emergency clause.

MICHAEL RUFF

***** SB 563 *****

SPONSOR: Dixon

HANDLER: Leach

HCS/SCS/SB 563 – This act modifies provisions relating to higher education.

MISSOURI HIGHER EDUCATION SAVINGS PROGRAM: This act requires the board of the Missouri Higher Education Savings Program to study investment plans of other states. The board must contract with or negotiate to provide benefit options like other states' qualified plans for the purpose of offering additional options for members of the plan for any new contracts entered into after August 28, 2012. (Section 166.415)

This section is identical to HB 1192 (2012).

ALZHEIMER'S DISEASE RESEARCH PROJECTS: Under current law, the University of Missouri Board of Curators is given authority to award funds for research projects to advance knowledge in the area of Alzheimer's disease and related disorders. This act increases the statutory award amount per individual award from \$30,000 to \$50,000 per year.

This provision is identical to SB 482 (2012) and HB 1216 (2012). (Section 172.803)

COMPACT FOR EDUCATION: This act corrects the name of the organization named in the Compact for Education so that it is correctly referred to as the "Education Commission of the States" instead of as the "Educational Commission of the States."

This provision is identical to HB 1201 (2012). (Section 173.300)

HIGHER EDUCATION CAPITAL FUND: This act creates the "Higher Education Capital Fund." The General Assembly may appropriate moneys to the fund to provide matching funds to public colleges or universities for capital projects. Funds cannot be distributed through the fund without a line item appropriation for a specific project. The state cannot issue bonds to provide funding. Funds cannot be used for any athletic facilities, parking structures, or student housing. To receive matching funds, a public college or university must raise fifty percent of the cost of the capital project from private donations or grants. The General Assembly may appropriate the remaining fifty percent of the cost of the project as matching funds to the institution. Public colleges and universities are prohibited from using operating budget funds, tuition, fees, bond revenues, or state appropriations to produce their portion of the capital project's cost.

The Commissioner of Higher Education will administer the Higher Education Capital Fund and may promulgate rules to implement this act. (Section 173.480)

This provision is identical to HCS/SCS/SB 655 (2012) and similar to HB 1502 (2012).

MISSOURI SCIENCE, TECHNOLOGY, ENGINEERING AND MATHEMATICS INITIATIVE: This act establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education. Matching funds may be provided by the Department and the General

SPONSOR: Dixon

HANDLER: Leach

Assembly to fund the programs described in the act.

The Initiative will provide support to increase interest among K-12 students in science, technology, engineering, and mathematics to increase the number of students who enter these fields at Missouri's public institutions of higher education.

Programs that may be supported through the Initiative include: endowed teaching professor programs to support faculty; scholarship programs to provide financial aid and loan forgiveness to Missouri students in science, technology, engineering, and mathematics areas, as described in the act; experiential youth programs at public colleges or universities; and career enhancement programs for current elementary and secondary teachers in science, technology, engineering, or mathematics fields to improve teaching quality.

This act is identical to HB 1855 (2012) and substantially similar to SB 164 (2011), HB 352 (2011) and SB 936 (2010). (Section 173.670)

SOCIAL WORKERS: This act authorizes accredited Missouri colleges and universities to issue a document that verifies and acknowledges completion of a school social work program. Individuals seeking the document must have a degree in social work and either hold a credential in school social work from a nationally recognized credentialing organization or passed a school social work exam approved by the State Committee for Social Workers. The Department of Higher Education will develop the document being issued.

This section contains an emergency clause. (Sections 173.1400 & C)

The State Committee For Social Workers is authorized to issue a document to verify and acknowledge completion of a school social work program. The document will be issued to individuals holding a license issued by the committee, submitting a fee, and either holding a credential issued by a nationally recognized organization or having passed a specified exam. The document issued is not a license or certificate and conveys no authority to practice social work. The document issued will not expire or subject the holder to discipline under a professional licensing provision. (Section 337.647)

These provisions are identical to provisions contained in SS/SCS/HCS/HB 1563 (2012).

NORTHWEST MISSOURI STATE UNIVERSITY BOARD OF REGENTS: This act provides that not more than two voting members of the board of regents of Northwest Missouri State University may be residents of the same county.

This section is identical to SB 681 (2012) and a provision contained in SCS/HCS/HB 1042 (2012) and SS/SB 650 (2012). (Section 174.332)

This section contains an emergency clause. (Section B)

MISSOURI STATE UNIVERSITY BOARD OF GOVERNORS: Currently, six of the nine members' terms of the Missouri State University board of governors expire in 2011. However, current law also requires that no more than three terms expire in any given year and does not provide a mechanism to modify term lengths to accommodate the timing of the term expiration. This act modifies the term lengths for the appointments to fill the six terms that expired in 2011 so that no more than three of the

SPONSOR: Dixon

HANDLER: Leach

nine board members' terms will expire in any given year. This act would allow three members' terms to expire on January 1, 2013, three members' terms to expire on January 1, 2015, and three members' terms to expire on January 1, 2017.

This section is identical to a provision contained in SCS/HCS/HB 1042 (2012) and CCS#2/HCS/SB 455 (2012).

This section contains an emergency clause. (Section 174.450 & B)

TITLE TO SCHOOL PROPERTY: Current law provides that the title of all schoolhouse sites and other school property is vested in the district in which the property is located. This act makes an exception for community college districts and provides that nothing will be construed to impair the duty and authority of the Coordinating Board for Higher Education to approve academic programs.

This provision is also contained in SS/SCS/HB 1170 (2012), HB 1980 (2012) CCR/SS/SB 665 (2012), and CCR/HCS/SB 578 (2012). (Section 177.011)

HIGHER EDUCATION INSTITUTION LICENSE PLATES: This act provides that only a community college, four-year public or private institution of higher education, or foundation or organization representing the institution located in Missouri may itself authorize, or by the director of revenue be authorized, to use the school's official emblem to be affixed on multiyear personalized license plates. This act also requires applications for certain license plates be reviewed in the same legislative session in which the application is reviewed.

These provisions are also contained in CCS/HCS#2/SCS/SB 480 (2012). (Sections 301.449 & 301.3150)

VIRTUAL NETWORK FOR ENTREPRENEURS (MERNV): This act requires Missouri small business technology development centers to manage a virtual network for entrepreneurs. The small business technology development centers are required to seek private sector funding for this virtual network and disclose the name of donors to this network. The small business technology development centers are required to report on the development of the network to the chairs and ranking minority members of certain legislative committees by September 2012. (Section 620.2400)

This provision is identical to HCS/HB 1214 (2012).

AUTHORIZATION FOR LAND CONVEYANCES BY MISSOURI STATE UNIVERSITY BOARD OF GOVERNORS: This act authorizes the Board of Governors of Missouri State University to convey a perpetual street right of way at National Avenue and Monroe Street to the City of Springfield. (Section 1)

The board may convey a perpetual street right of way at National Avenue and Grand Street to the City of Springfield. (Section 2)

The board may convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. (Section 3)

The board may convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. (Section 4)

SPONSOR: Dixon

HANDLER: Leach

The parties must negotiate the terms for each conveyance. The Attorney General must approve the form of the conveyance instrument. (Sections 1-4)

These provisions are identical to SB 811 (2012).

MICHAEL RUFF

***** SB 566 *****

SPONSOR: Brown

HANDLER: Jones

SCS/SB 566 - The act requires that if a person suspects that he or she has been exposed to rabies through contact with a dog or cat, the owner of such dog or cat must show documentation of rabies vaccination or else surrender the animal to proper authorities. A licensed veterinarian will examine the surrendered animal and may euthanize the animal if he or she deems necessary to the health of the exposed party.

ERIKA JAQUES

***** SB 568 *****

SPONSOR: Parson

HANDLER: Franz

CCS/HCS/SB 568 - This act modifies various provisions relating to transportation.

MOVE OVER LAW - This act amends Missouri's move over law so that drivers of motor vehicles approaching stationary emergency vehicles or vehicles owned by the commission and operated by Department of Transportation employees displaying amber or amber and white lights shall proceed with caution by making a lane change away from the stationary vehicle, if possible. The act further modifies the definition of "emergency vehicle" to include any vehicle owned by the commission and operated by a Department of Transportation employee that is marked as an emergency response or motorist assistance vehicle (Section 304.022). This provision is also contained in the truly agreed to versions of SB 470 and SB 611 (2012). This provision is also contained in HB 1040 (2012).

TEMPORARY PERMIT TAGS - This act modifies the process for issuing temporary permits to motor vehicle owners. Under the terms of the act, the Director of Revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50). Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates. The act allows the director to reissue and extend the use of a temporary permit during

SPONSOR: Parson

HANDLER: Franz

the time period a title and registration are being obtained. Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to the law enforcement community of the state of Missouri (Section 301.140). This provision is also contained in the truly agreed to versions of SB 470, SB 611, and HB 1329 (2012). This provision of the act is similar to the one contained in SB 818 (2012). This portion of the act shall become effective on the date the Department of Revenue or a producer authorized by the director of the Department of Revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first (Section D). The temporary permit provisions (subsections 4, 5, and 6 of section 301.140) shall expire on July 1, 2019.

BIENNIAL REGISTRATION OPTION FOR LARGER VEHICLES - This act expands the number of commercial motor vehicle owners who will have the option of biennially registering their commercial motor vehicle. Under current law, the director may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of 12,000 pounds gross weight, the option of biennially registering motor vehicles. This act provides this option to owners of motor vehicles, other than commercial motor vehicles licensed in excess of 54,000 pounds (Section 301.147). This provision is contained in the truly agreed to version of SB 470 (2012). This provision is similar to the one contained in the introduced version of SB 443 (2012) and the truly agreed to version of HB 430 (2011). This section has an effective date of July 1, 2015 (see Section E).

TRANSPORTATION DEFINITIONS FOR SALES TAX PURPOSES - This act adds the construction, reconstruction, repair, and maintenance of sidewalks, trails, and community owned parking lots to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax in certain cities (Section 94.700). This portion of the act is similar to HB 1299 (2012).

KANSAS CITY COMMERCIAL ZONE - This act expands the Kansas City commercial zone by including the stretch of State Route 45 from its intersection with Interstate 29 to the city limits of Iatan. This portion of the act may be found in the SCS/HCS/HB 1640 (2012) and SCS/SB 656 (2012)(Section 304.190). This provision may also be found in the truly agreed to versions of HB 1402 and SB 470 (2012).

The act further expands the Kansas City commercial zone by expanding it on state route 10 from its intersection with state route 210 to the city of Hardin.

REBUILT SALVAGE VEHICLES INSPECTION - Under the terms of this act, owners of rebuilt salvage vehicles which are 10 years of age or older who submit such vehicles to examinations conducted by the Highway Patrol in order to obtain certificates of ownership with prior salvage motor vehicle designations are not required to repair or restore such vehicles to their original appearance in order to pass or complete the vehicle examination (Section 301.190). This portion of the act is similar to SB 557 and the truly agreed to version of HB 1150 (2012)(HA 3).

FAILURE TO APPEAR IN COURT- Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the director of revenue of such fact and the director will suspend the offender's driver's license until the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). This provision is

SPONSOR: Parson

HANDLER: Franz

contained in the truly agreed to versions of SB 470, SB 480, and HB 1402 (2012). The provision is also contained in the perfected version of SB 443 (2012) and the truly agreed to version of HB 430 (2011).

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (Sections 302.700 to 302.780) and makes modifications to current definitions relating to commercial driver license requirements to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

- 1) CDLIS driver record;
- 2) CDLIS motor vehicle record;
- 3) Commercial driver's license downgrade;
- 4) Driver applicant;
- 5) Employee;
- 6) Endorsement;
- 7) Foreign;
- 8) Medical examiner;
- 9) Medical variance (Section 302.700).

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process. Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintained such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information to the driver record within 10 calendar days of receipt and the information will become part of the CDLIS driver record. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification (section 302.768).

The CDL medical certification compliance sections (Sections 302.700 and 302.768) shall become effective on the date the director begins accepting commercial driver license medical certifications or on May 1, 2013, whichever occurs first (see Section C).

The CDL provisions can also be found in the truly agreed to versions of SB 470, SB 480, and HB 1402 (2012).

SPONSOR: Parson

HANDLER: Franz

SALVAGE TITLE - CLAIMS ADJUSTMENT PROCESS - Under the terms of this act, any insurer which purchases a vehicle that is currently titled in Missouri through the claims adjustment process for which the insurer is unable to obtain a negotiable title, may make application to the Department of Revenue for a salvage certificate of title or junking certificate. The application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least 2 written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and a fee of \$8.50. The insurer shall, 30 days prior to making application for title, notify any owners or lienholders of record for the vehicle that the insurer intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department to verify the name and address of any owners and any lienholders. After 30 days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer. This provision may be found in the truly agreed to version of HB 1150 (2012). This portion of the act is also similar to SB 879 (2012) and HCS/HB 1875 (2012)(Section 301.193).

GROSS WEIGHT LIMITATION FOR CERTAIN VEHICLES - Under current law, the total gross weight of a vehicle or combination of vehicles hauling livestock on U. S. Highway 36 from St. Joseph to U. S. Highway 65 and on U. S. Highway 65 from the Iowa state line to U. S. Highway 36 cannot exceed 85,500 pounds. This act expands the gross weight limitation on U.S. Highway 36 eastward from U.S. Highway 65 to U.S. Highway 63. The act further applies the gross weight limitation exception to U.S. Highway 63, from the Iowa state line to U.S. Highway 36.

The act further allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system. This provision of the act shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways. This provision is similar to one contained in the truly agreed to version of SB 470 (2012) and HB 1212 (2012)(Section 304.180).

OUTBOARD MOTOR TITLES - Under the terms of this act, effective August 28, 2012, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". Any outboard motor manufactured on or after July first of any year shall be labeled "Year Manufactured" with the calendar year immediately following the year manufactured unless the manufacturer indicates a specific model or program year. This provision is also contained in the truly agreed to versions of SB 719 and SB 480 (2012). This provision is similar to the one contained in HB 1759 (2012)(Section 306.532).

BOATING SAFETY IDENTIFICATION CARD - Under this act, any person or company that rents or sells vessels may issue temporary boating safety identification cards to nonresidents to operate rented vessels or vessels being considered for sale, for a period of up to 7 days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license

SPONSOR: Parson

HANDLER: Franz

establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. The Missouri State Highway Patrol shall charge a fee of \$9 for the temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. Under the act, the Missouri State Highway Patrol is authorized to develop the temporary boating safety identification card. The act requires businesses that issue temporary boating safety identification cards to transmit the applicant's information and payment to the Missouri State Highway Patrol using an electronic online registration process developed and provided by the patrol. The electronic online registration process shall allow the applicant to pay the \$9 fee by credit card, debit card, or other commercially approved electronic method. The act imposes a sunset date of December 31, 2022, on the nonresident temporary boating safety identification card program. This portion of the act contains an emergency clause (see Section B). This portion of the act is contained in the truly agreed to versions of SB 719 and HB 1402 (2012) (Section 306.127).

STEPHEN WITTE

SPONSOR: Kraus

HANDLER: Dugger

CCS/HCS/SCS/SB 569 - This act modifies the law relating to elections.

LAW ENFORCEMENT DISTRICTS

Currently, law enforcement districts may be created in first class counties without a charter form of government and a population of 50,000 inhabitants or less. This act allows all first class counties to establish such districts. Currently, districts areas are required to be contiguous. The act specifies that two areas may be contiguous if both are adjacent to the shoreline of the same body of water.

If a property owner within the proposed district does not join the petition or file an entry of appearance, a copy of the petition shall be served upon the property owner.

If ballot measures proposing a property tax levied by the district is approved, the tax will become effective on the first day of the second calendar quarter after the director of revenue receives notification of the adoption of the tax. If a tax levy fails, such a measure may not be placed on the ballot for at least 12 months.

Currently, a district's property tax levy may be terminated by a petition of the voters. This provision is repealed. A petition shall be required to place the question of repealing the tax on the ballot. (Sections 67.1860, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1890, 67.1892, 67.1894, 67.1896, 67.1898)

THIRD CLASS CITY PRIMARIES

Certain third class cities are allowed to eliminate, by ordinance or order, primary elections for mayor and councilmen offices. Any person wishing to become a candidate for these offices must file a statement of candidacy with the city clerk in order to be placed on the ballot. (Section 78.090)

FOURTH CLASS CITY ALDERMEN

Aldermen in fourth class cities shall be at least 18 instead of 21 years of age. (Section 79.070)

JACKSON COUNTY TRANSIT AUTHORITY TAXES

Taxes levied by the Jackson county Transit Authority for the operation of transportation facilities is

SPONSOR: Kraus

HANDLER: Dugger

added to the list of taxes that may not be deposited into a special allocation fund for the purposes of tax increment financing. (Section 99.845)

ELECTION JUDGES

Election judges are required to swear that they will support and defend the United States and Missouri constitutions. (Section 115.091)

DATES AVAILABLE FOR ELECTIONS

This act removes the first Tuesday after the first Monday in June as a date available for public elections. Currently, the first Tuesday after the first Monday in February is available for public elections. This act only allows bond elections to occur on that date.

This act allows tax elections necessitated by a financial hardship due to a 5% or greater decline in per-pupil state revenue to a school district from the previous year, to be conducted at any time. (Section 115.123)

BALLOTS

Party emblems shall not be printed on the ballot above the party caption. (Section 115.241)

ELECTION OFFENSES

It is a class four election offense for an election authority or political subdivision to discourage potential candidates from filing for the purposes of eliminating the requirement to hold an election. (Section 115.637)

This act is similar to HCS/HB 121 (2011), HCS/HB 889 (2011), HCS/SB 61 (2011), CCS/HCS/SB 282 (2011), HCS/SCS/SB 270 (2011), HCS/HB 1340 (2012), SCS/SB 671 (2012), HCS/HB 1060 (2012), HCS/SB 1106 (2012), HB 1036 (2012), SB 668 (2012), HB 1358 (2012), HB 1692 (2012), and HB 1250 (2012).

CHRIS HOGERTY

SPONSOR: Dempsey

HANDLER: Richardson

SS/SCS/SB 572 - The act affirmatively states that occupational diseases are exclusively covered under workers' compensation laws.

This act states that co-employees shall be released from all liability for workplace injuries or death for which compensation is recoverable under the workers' compensation statutes. However, the employee shall not escape liability when the employee engages in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury.

Civil actions involving injury or death filed by the employee shall not proceed until all administrative remedies are exhausted. Administrative actions brought under the workers' compensation statutes shall toll civil action statutes of limitation.

Toxic exposure is defined as an exposure to chemicals, dusts, particulates, fumes, mists, fibers, solvents, vapors, radiation, or other substances or other materials that, when ingested, consumed, inhaled, or absorbed are sufficient to cause disease, death, mutations, cancer, deformities, or reproductive abnormalities in humans. In cases where occupational disease is caused by toxic exposure, there shall be

SPONSOR: Dempsey

HANDLER: Richardson

no subrogation rights for employers.

The death benefit for employees is raised from \$5,000 to \$10,000.

This act is similar to SB 8 (2011).

CHRIS HOGERTY

SPONSOR: Stouffer

HANDLER: Richardson

SS/SCS/SB 576 – This act modifies the laws governing charter schools.

SECTION 29.205 – The State Auditor may audit any charter school in the same manner as any agency of the state.

SECTION 160.400 – In addition to the St. Louis City and Kansas City School Districts, charter schools may be operated in unaccredited districts. Charter schools may be operated in districts accredited without provisions if sponsored by the local school board except that a local school board with an enrollment of 1550 students or greater cannot enroll more than thirty-five percent of its enrollment in charter schools it sponsors, as described in the act. Charter schools may be operated in a provisionally accredited district after three full school years of provisional accreditation and APR scores consistent with a classification of provisionally accredited or unaccredited beginning in the 2012-2013 school year. In addition, if the provisional accreditation is related to financial stress or hardship, the State Board of Education must vote to decide whether charters may operate. The sponsor is limited to the local school board or a sponsor that has met accountability standards, as described in the act.

This act modifies sponsorship. If the State Board of Education appoints a special administrative board for Kansas City, the special administrative board may sponsor charter schools. This act removes the restriction that a sponsoring public four-year college or university have its primary campus in the school district or in a county adjacent to the county in which the district is located. In addition, a community college whose service area encompasses some portion of the district may be a sponsor. Currently, any private four-year college or university located in St. Louis City with an enrollment of one thousand students and an approved teacher preparation program may be a sponsor. This act eliminates the requirement that the institution be located in St. Louis City but requires that its primary campus be located in Missouri. Additional sponsors include the special administrative board of the St. Louis City School District, any two-year private vocational or technical school, as described in the act, and the Missouri Charter Public School Commission.

In an unaccredited or provisionally accredited district where a charter school is sponsored by an entity other than the local school board, when the district becomes classified as accredited, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accreditation. Such a school will not be limited to the local school board as a sponsor. Charter schools in Kansas City and St. Louis may be sponsored by any eligible entity, regardless of the districts' accreditation classification. A charter school whose charter provides for the addition of grade levels may add grade levels until the planned expansion is complete.

The mayor of St. Louis City may request a two-year private vocational or technical school or the Missouri Charter Public School Commission to sponsor a workplace charter school.

SPONSOR: Stouffer

HANDLER: Richardson

When a charter school chooses to affiliate with a four-year college or university, the college or university will no longer be required to be located within the county in which the school district lies or in an adjacent county.

A school district or the State Board of Education, when acting as a sponsor, may have expenses associated with sponsorship be defrayed by having the Department of Elementary and Secondary Education withhold up to 1.5% of the charter school's state and local funding. A sponsor that receives 1.5% funding to defray expenses associated with sponsorship must submit annual reports to the Joint Committee on Education demonstrating compliance with requirements.

A charter school sponsor must develop policies and procedures for the following: the review of a charter school proposal; the granting of a charter; the performance framework of a charter; the renewal, revocation, and nonrenewal processes; additional criteria for oversight of the charter; and procedures to be used when a school closes. The Department of Elementary and Secondary Education is required to provide guidance to sponsors in developing these procedures and policies.

Currently, the State Board may suspend a sponsor's ability to sponsor a school for a period of one year. This act modifies the State Board's existing monitoring and suspension authority and instead requires the State Board to evaluate sponsors, as described in the act, to determine compliance with sponsorship standards every three years. If the Department of Elementary and Secondary Education determines that a sponsor is in material noncompliance with sponsorship duties, it must be notified and given remediation time. If compliance does not improve, the Commissioner of Education must conduct a public hearing and recommend corrective action to the State Board of Education. The State Board will have final determination over corrective action. If the State Board removes sponsorship authority for any currently operating charter school, the Missouri Charter Public School Commission will become the school's sponsor.

SECTION 160.403 – The Department of Elementary and Secondary Education must establish an annual application and approval process for all entities eligible to sponsor charter schools. All information and guidelines for eligible sponsors must be made available by November 1, 2012.

This act identifies the information that must be included in an eligible sponsor's application.

By April 1 annually, the Department must grant or deny a sponsoring authority to a sponsor applicant. Within thirty days of the Department's decision, it must execute a renewable sponsoring contract with each approved sponsoring entity. The term will be six years in length and may be renewed.

SECTION 160.405 – This act modifies the framework of a charter school's charter. The charter will be a legally binding performance contract that describes the obligations and responsibilities of the school and the sponsor.

The term of a charter will be for five years, instead of the current provision that allows charters to be not less than five but not greater than ten years. This act identifies additional items that must be contained in a charter. Charter schools operating on August 27, 2012 will have until August 28, 2015 to meet the new requirements for items that must be in a charter.

A charter must be submitted to the sponsor and follow the sponsor's policies and procedures for review and granting. The charter must be consistent with the sponsor's charter sponsorship goals and

SPONSOR: Stouffer

HANDLER: Richardson

capacity. In addition, the charter must be approved by the State Board of Education by December 1 prior to the proposed opening date of the charter school.

This act modifies the definition of "high risk" student.

This act eliminates judicial review for the disapproval of a charter.

Charter schools must conduct a background check of education personnel, including through the employee criminal history background check and the Family Care Safety Registry.

Charter schools with local educational agency status must comply with all federal audit requirements for such charters.

Currently, charter schools must collect baseline data during at least the first three years to determine performance. This act requires charter schools to establish baseline student performance during the first year of operation and collect student performance data, as described in the act, throughout the duration of the charter to annually monitor student academic performance, based upon grade levels offered by the school.

The performance standards for alternative and special purpose charter schools that target high-risk students must be based on measures defined in the school's performance contract with its sponsors.

Charter schools are required to comply with all applicable federal and state special education laws including IDEA and Section 504 of the Rehabilitation Act of 1973.

This act allows proposed or existing high risk or alternative charter schools to include alternative arrangements for students to obtain credits for satisfying graduation requirements in the charter application and charter. Alternative arrangements may include credit for off-campus instruction, embedded credit, work experience, independent studies, and performance-based credit options. Upon approval of the charter by the State Board of Education, any alternative arrangements will be approved at the same time.

The Department of Elementary and Secondary Education must conduct a study of any such charter school granted alternative arrangements for students to obtain credit to assess student performance, graduation rates, educational outcomes, and entry into the workforce or higher education.

The sponsor, governing board, and charter school staff must jointly review the school's performance, management, and operations during the first year of operation and then every other year after the most recent review, instead of the current requirement of at least once every two years.

This act removes the requirement that a charter school become a local educational agency for the sole purpose of direct access to federal grants and allows the school to become an agency if the sponsor and the governing board reach a written agreement to become an agency.

Sponsors must annually review the charter school's compliance with statutory standards including statewide assessment participation, completion of the annual report card, data collection, a method to measure pupil progress, and publication of the charter school's annual performance report. Sponsors must have intervention policies to give schools notice of contract violations or performance deficiencies, as

SPONSOR: Stouffer

HANDLER: Richardson

described in the act. A sponsor must have a policy to revoke a charter if there is evidence of underperformance or a violation of the law or the public trust that imperils students or public funds, as described in the act.

This act limits the length of probationary status for a charter school to no more than twelve months, provided that no more than one designation of probationary status is allowed for the duration of the charter contract.

This act removes judicial review of a sponsor's final decision to revoke a charter. Instead, the decision to revoke a charter will be subject to an appeal to the State Board of Education, which must then determine whether the charter will be revoked.

Sponsors must conduct a renewal process of charter schools based on objective evidence, as described in the act, including annual performance report results. Beginning August 1 during the year in which a charter is up for renewal, a sponsor must demonstrate to the State Board of Education that the charter school is in compliance with federal and state law and the school's performance contract, including academic performance requirements. The sponsor must also submit a revised charter application to the State Board of Education, which must determine if the sponsor has demonstrated compliance. If compliance is demonstrated, the State Board must renew the charter.

SECTION 160.410 – This act requires charter schools whose mission includes student drop-out prevention or recovery to enroll nonresident pupils from the same or an adjacent county who reside in residential care facilities, transitional living group homes, or independent living programs whose last school of enrollment is in the school district where the charter school is established, who submit a timely application. Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

Charter schools may limit admission based on gender if the school is a single-gender school.

Students of a charter school who are present for the January membership count in Section 163.011 will be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners.

If a charter school is operated by a management company, a copy of the contract must be made available for public inspection.

If a student attending a charter school moves so that he or she no longer lives in the school district where charter schools may operate, he or she may complete the current semester at the charter school and will be considered a resident student. The parent or legal guardian will be responsible for the student's transportation.

If a change in school district boundary lines occurs so that a student no longer lives in a school district, or if action by the State Board of Education occurs under Section 162.081 where charter schools may operate, the student may complete the current academic year at the charter school. The parent or legal guardian will be responsible for the student's transportation.

The Foster Care Bill of Rights (Sections 167.018 and 167.019) will apply to charter schools.

SPONSOR: Stouffer

HANDLER: Richardson

SECTION 160.415 – This act contains requirements to be included in a request for proposals if a proposed charter school intends to contract with an education services provider for substantial educational services, management services, or both.

The Department of Elementary and Secondary Education may withhold funding at an adequate level during a charter school's last year of operation until the Department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

SECTION 160.417 – By October 1, 2012, and each October 1 thereafter, the Department of Elementary and Secondary Education must identify charter schools experiencing financial stress using information from the report required by Section 162.821. A list of charter schools experiencing financial stress will be provided to the Governor, Speaker of the House of Representatives, and President Pro Tem of the Senate.

Parameters for financial stress are defined in the act.

By November 1, the sponsor must notify the governing board of a charter school if it is identified as experiencing financial stress. The governing board must develop and approve a budget and education plan, which must be submitted to the sponsor within forty-five days. Requirements for what must be included in the plan are described in the act. The sponsor may make suggestions to improve the plan.

The Department may withhold any payment of financial aid until such time as the charter school is in compliance with these requirements.

SECTION 160.420 - In addition to existing criminal background check requirements, charter schools must ensure that a Family Care Safety Registry check is conducted for employees.

Multiple provisions are repealed because they are identical to provisions contained in Section 160.415.

SECTION 160.425 – This act creates the Missouri Charter Public School Commission. It will have nine members, all appointed by the Governor with the advice and consent of the Senate. Members will serve a term of four years, except for the initial appointees, whose terms are staggered. Commission members will be: one member selected from a slate of three candidates recommended by the Commissioner of Education; one member selected from a slate of three candidates recommended by the Commissioner of Higher Education; one member selected from a slate of three recommended by the President Pro Tempore of the Senate; a member selected from a slate of three recommended by the Speaker of the House of Representatives; and five additional members appointed by the Governor, one of which must be selected from a slate of three submitted from the Missouri School Boards Association. Operating procedures for the Commission are included.

The Commission may approve proposed charters for its sponsorship, as described in the act. The Department of Elementary and Secondary Education must provide start-up funding for the Commission to operate, which will be reimbursed from funds the Commission receives as sponsor of any charter schools under Section 160.400.

This act is similar to HCS/HB 1228 (2012), SB 762 (2012), HCS/HB 473 (2011), HCS/HB 1740 (2012), SCS/SBs 291, 184 & 294 (2011), SB 838 (2010), SB 835 (2010), HB 2200 (2010), SB 317

SPONSOR: Stouffer

HANDLER: Richardson

(2009), SB 1027 (2008) and SB 64 (2009).

MICHAEL RUFF

***** SB 595 *****

SPONSOR: Kraus

HANDLER: Torpey

HCS/SS/SCS/SB 595 – This act transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission. This act prohibits commissioners who conduct due process hearings from having previously worked for a school district, an organization engaged in special education parent and student advocacy, the State Board of Education, or the Department of Elementary and Secondary Education, either as an employee or as an independent contractor or consultant, within the last five years. A commissioner also cannot have performed work for a parent or a student as a special education advocate within the last five years or been a party to a special education proceeding as an attorney, parent or child. The Administrative Hearing Commission must conform to all practices, procedures, filing deadlines, and response times of the Individuals With Disabilities Education Act when conducting due process hearings.

At least three of the commissioners must be trained in special education law, who will be the only commissioners to hear special education matters. They must receive at least ten hours of initial training, which must be selected by the Administrative Hearing Commission in consultation with the Department of Elementary and Secondary Education and the IDEA-funded parent training and information center, as described in the act. Each commissioner assigned to special education matters must complete at least five additional hours of training each year. In addition, training sessions must be recorded and posted on the Administrative Hearing Commission's website, as described in the act.

When a commissioner renders a final decision, it cannot be amended or modified.

This act contains an emergency clause for sections 621.253 and 621.255.

MICHAEL RUFF

***** SB 599 *****

SPONSOR: Schaefer

HANDLER: Dieckhaus

CCS/SB 599 – This act modifies provisions relating to education.

GIFTED EDUCATION: School districts must include in their annual school accountability report card whether the school district currently has a state-approved gifted education program and the percentage and number of students being served by the program. (Section 160.522)

This provision is identical to SB 147 (2011) and is similar to HB 1062 (2012), HB 1295 (2010), SB 962 (2010), SB 498 (2009), and HB 2542 (2008).

COUNTY LAW ENFORCEMENT REPORTING: Under current law, if a school receives a report of child abuse arising from school personnel following the district's policy on spanking or the use of reasonable force to protect persons or property, the school superintendent or school board president must send a notice of the incident to the county juvenile officer. This act requires the notice to be sent to the law enforcement in the county.

SPONSOR: Schaefer

HANDLER: Dieckhaus

Also, under current law, the report of the incident must be investigated by a law enforcement officer designated by the juvenile officer. This act requires that the investigation be conducted by the law enforcement in the county. (Section 160.261)

This provision is identical to HCS/HB 1169 (2012).

DOE RUN SETTLEMENT: Any moneys received in the county school funds for Iron County, Reynolds County, Jefferson County, and Washington County from the Doe Run settlement agreement civil penalty will not be considered to be local effort for purposes of state school funding.

This provision is also contained in CCS/HCS/SCS/SB 635 (2012). (Section 163.024)

STANDARDS FOR AGRICULTURAL EDUCATION: The State Board of Education must establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education. Any such private school must reimburse the Department annually for the cost of oversight and maintenance of the program.

This provision is similar to SS/SCS/HB 1073 (2012), HCS/HB 1254 (2012), HCS/HB 1860 (2012), HB 1953 (2012), SCS/SB 491 (2012), CCS/HCS/SCS/SB 631 (2012), CCS/HCS/SCS/SB 635 (2012). (Section 178.530)

CARDIOPULMONARY RESUSCITATION INSTRUCTION: Public and charter schools serving grades nine through twelve may provide their students instruction in cardiopulmonary resuscitation, as described in the act. Students with disabilities may participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.

A teacher of the cardiopulmonary resuscitation course does not need be a certified trainer if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification must be taught by an authorized cardiopulmonary instructor.

This provision is substantially similar to SCS/HB 1337 (2012). (Section 170.310)

CAREER AND TECHNICAL STUDENT ORGANIZATIONS AND EDUCATION: This act requires the Department of Elementary and Secondary Education to provide staffing support, including statewide coordination for career and technical student organizations, for career and technical education programs approved by the department. These organizations include DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA. The Department must continue handling the funds from the organizations in the same manner as it did during the 2011-2012 school year. (Section 1)

This act contains an emergency clause for Section 1.

MICHAEL RUFF

SPONSOR: Stouffer

HANDLER: Burlison

SS/SB 607 - Under this act, on the date the Highways and Transportation Commission approves funding for any phase or portion of construction or reconstruction of any street or highway, the rules in effect for outdoor advertising on August 27, 1999, shall be reinstated for that section of highway scheduled for construction and there shall immediately be a moratorium imposed on the issuance of state

SPONSOR: Stouffer

HANDLER: Burlison

sign permits for new sign structures.

Owners of existing signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement and who voluntarily execute a partial waiver and reset agreement may reset such signs on the same or adjoining property. Such reset agreements shall be contingent upon obtaining any required local approval to reset the sign structure. Any sign which has been reset must still comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

Owners of existing signs who elect to reset qualifying signs shall receive compensation representing the actual cost to reset the existing sign. Signs which have been reset under the act must be reconstructed of the same type materials and may not exceed the square footage of the original sign structure.

Sign owners may elect to reset existing qualifying signs by executing partial waivers and reset agreements with the commission.

Upon the completion of construction on any section of highway, the moratorium on new permits shall be lifted and the rules for outdoor advertising in effect on the date the construction is completed shall apply to such section of highway.

Local zoning authorities may prohibit the resetting of qualifying signs which fail to comply with local regulations.

The act requires all signs to be subject to biennial inspection fees.

A similar provision is contained in the truly agreed to version of HB 1402 (2012). This act is also similar to SB 120 (2011), HB 2097 (2010) SB 704 (2010), and SCS/SB 57 (2009).

STEPHEN WITTE

SPONSOR: Lembke

HANDLER: Stream

CCS/SB 611 - This act modifies various provisions relating to the regulation of transportation.

MINIMAL YELLOW LIGHT STANDARDS - This act requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard. This portion of the act is identical to SB 212 (2011) (Section 304.289). This provision is also contained in the truly agreed to version of HB 1402 (2012).

MOVE OVER LAW - This act amends Missouri's move over law so that drivers of motor vehicles approaching stationary emergency vehicles or vehicles owned by the commission and operated by Department of Transportation employees displaying amber or amber and white lights shall proceed with caution by making a lane change away from the stationary vehicle, if possible. The act further modifies the definition of "emergency vehicle" to include any vehicle owned by the commission and operated by a Department of Transportation employee that is marked as an emergency response or motorist assistance vehicle (Section 304.022). This provision is contained in the truly agreed to versions of SB 470 and SB

SPONSOR: Lembke

HANDLER: Stream

568 (2012). This provision is also contained in HB 1040 (2012) (Section 304.022).

TEMPORARY PERMIT TAGS - This act modifies the process for issuing temporary permits to motor vehicle owners. Under the terms of the act, the Director of Revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50). Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates. The act allows the director to reissue and extend the use of a temporary permit during the time period a title and registration are being obtained. Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to the law enforcement community of the state of Missouri (Section 301.140). This portion of the act shall become effective on the date the Department of Revenue or a producer authorized by the director of the Department of Revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first (Section B). The temporary permit provisions (subsections 4, 5, and 6 of section 301.140) shall expire on July 1, 2019. This provision is also contained in the truly agreed to versions of SB 470, SB 568, and HB 1329 (2012). A similar provision is contained in SB 818 (2012).

STEPHEN WITTE

SPONSOR: Kehoe

HANDLER: Jones

HCS/SCS/SB 625 - This act modifies provisions relating to retirement

COUNTY EMPLOYEES' RETIREMENT SYSTEM

This act specifies that an active member of the County Employees' Retirement System who dies after December 31, 2002, and before becoming vested will receive a death benefit of \$10,000 and the amount equal to the member's accumulated contributions to the fund. This section is similar to HB 1543 (2012) and HCS#2/SS/SB 729 (2012).

SECTIONS 50.1130 & 50.1140

TRANSFERS BETWEEN MOSERS AND MPERS

Currently when employees transfer between the Missouri State Employees' Retirement System and the Missouri Department of Transportation and Highway Patrol Employees' Retirement System, the value of the employees' accrued benefits are transferred as well. This act will change the computation of accrued benefits to exclude amounts for previously transferred service not subject to asset transfer. Any prior payments already made that should have been excluded must be returned. This section is similar to HB 1331 (2012).

SPONSOR: Kehoe

HANDLER: Jones

SECTION 104.603

REFUND OF EMPLOYEE CONTRIBUTIONS TO MOSERS (Section 104.1091)

Currently, employees hired after January 1, 2011, and covered under the Missouri State Employees' Retirement System must contribute four percent of their salary into the system. If a member leaves the system before becoming eligible for normal retirement, their contributions are refunded with interest of four percent per year. This act changes the interest rate so that it is equal to the investment rate for the fifty-two week treasury bills issued by the United States Department of Treasury.

Currently, the beneficiary of any MOSERS member who made contributions into the MOSERS system will upon the member's death receive a refund of the contribution less any retirement benefits received by the member. This act will include the interest credited to the member's contributions in the refund. Interest credited to the contributions will cease upon retirement or death.

These provisions are similar to provisions contained in SCS/HB 1331 (2012) and SS#2/SB 492 (2012).

MIKE HAMMANN

SPONSOR: Schaefer

HANDLER: Kelly

CCS/HCS/SB 628 - This act modifies provisions relating to the judiciary.

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Section 21.771; HB 1842 (2012)

This act establishes the Joint Committee on Child Abuse and Neglect which shall be composed of seven members of the House of Representatives appointed by the Speaker and Minority Floor Leader and seven members of the Senate appointed by the President Pro Tem and the Minority Floor Leader. No party may be represented by more than four members of the Senate and four members of the House of Representatives. The Committee will expire on January 15, 2018.

Among other duties, the Joint Committee is required to:

- (1) Study and analyze the state child abuse and neglect reporting and investigation system;
- (2) Devise a plan for improving the decision process for removal of a child from a home;
- (3) Determine the additional personnel and resources necessary to adequately protect children and improve their welfare; and
- (4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state.

DRIVER'S REGISTRATION AND MOTOR VEHICLE RECORDS

Section 32.056; HB 1627 (2012)

Currently, the Department of Revenue is prohibited from releasing the home address or any other information contained in the Department's motor vehicle or driver registration records for specified groups of individuals. This act adds any state or federal judge or his or her immediate family members to those groups. The act also limits the information withheld to the home address and information that

SPONSOR: Schaefer

HANDLER: Kelly

identifies a vehicle owned by an individual in the specified groups. There is an exception allowing for release of the protected information to government agencies in carrying out their functions.

SHERIFF'S CHARGE IN CIVIL CASES

Section 57.280; SB 834 (2012)

Under current law, there is a special fund in each county treasury for certain funds coming into the possession of sheriffs that is to be used for the sheriff's office. Land sale proceeds are not to be directed into the fund. The fund may not exceed \$50,000, and any proceeds in excess of such amount go into the general revenue in the county treasury.

This act specifies that charges received by sheriffs for executing service of process or other court orders and land sale proceeds must be placed in the special fund, subject to the \$50,000 cap on the fund.

COLLECTION OF FINES OR COSTS

Section 67.136; HCS/HB 1211 (2012) & HCS/HB 1397 (2012)

The act authorizes cities and counties that have established municipal courts to utilize collection agencies to collect unpaid and past due court fines, administrative fines, or costs associated with a finding of guilt for a criminal offense or infraction or entry of a civil judgment.

CITY ECONOMIC DEVELOPMENT TAX BOARD

Section 67.1305; HB 1623 (2012) & SB 845 (2012)

This act allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board. The city will designate by order or ordinance whether the board has five or nine members. If the city designates a nine member board, the area school districts and the county will each appoint one new member to the board, and the city will appoint two new members to the board. The act also specifies how the board members terms are staggered.

GREENE AND CASS COUNTY ASSOCIATE CIRCUIT COURT JUDGES

Section 67.2010; HCS/HB 1211 (2012), HCS/HB 1397 (2012) & SB 574 (2012)

Currently, associate circuit judges in Cass County can hear and determine county traffic ordinance violations. This act extends similar authority to associate circuit judges in Greene County and allows such judges in both counties to hear any county ordinance violation adopted pursuant to statute.

BLIGHT IN ENHANCED ENTERPRISE ZONES

Section 135.953; HB 2033 (2012)

No finding of blight under the tax relief chapter can be used to meet the conditions for blight under any other statute.

TRAFFICKING DRUGS

Sections 195.222 & 195.223; HB 1894 (2012)

Currently, a person commits the crime of trafficking drugs in the first degree if he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture, or produce more than 2 grams of crack. If the quantity involved is between 2 and 6 grams, the person must be sentenced to the authorized term of imprisonment for a Class A felony. If the quantity is 6 grams or more, the person will be ineligible for probation or parole. This act raises the quantity for a Class A felony sentence to between 8 and 24 grams. If the person has 24 grams or more, the person will be ineligible for probation or parole.

SPONSOR: Schaefer

HANDLER: Kelly

Currently, a person commits the crime of trafficking drugs in the second degree if he or she possesses or has under his or her control, purchases, or attempts to purchase or brings into this state more than 2 grams of crack. If the quantity involved is between 2 and 6 grams, the person will be guilty of a class B felony. If the quantity is 6 grams or more, the person will be guilty of a Class A felony. This act raises the quantity for a Class B felony sentence to between 8 and 24 grams. If the person has 24 grams or more, the person will be guilty of a Class A felony.

JUVENILE COURT JURISDICTION

Section 211.031; HB 1171 (2012)

Current law provides that the juvenile court shall have jurisdiction over any child up to 15 and 1/2 years of age who is involved in a state or local traffic violation. This act lowers such age so that the juvenile court would have jurisdiction over any child up to 15 years of age in such instances.

TERMINATION OF PARENTAL RIGHTS IN RAPE CASES

Section 452.374

An automatic stay will be placed on paternity proceedings during the pendency of criminal charge alleging an act of rape by the putative father. Denial of visitation rights by this act cannot be used against the mother in determining which parent is most likely to allow meaningful contact with the other parent.

PUBLIC SERVICE COMMISSION APPEALS

Section 386.510; SB 844 (2012)

When a party seeks to appeal a decision by the PSC in the court of appeals, the party must file a notice of appeal with the PSC but current law does not specify who then files the appeal with the court. This act requires the PSC to forward any such appeal to the appropriate appellate court.

PERFECTION OF SECURITY INTERESTS

Section 400.9-311; HB 1153 (2012) & HCS/HB 1400 (2012)

Currently, security interests in property subject to certain federal or state filing requirements can only be perfected by following such requirements. There is an exception for property held as inventory by a person in the business of selling or leasing goods of that kind. This act removes persons in the business of leasing goods of that kind from the exception.

QUALIFIED SPOUSAL TRUSTS

Section 456.950; HB 1165 (2012) & SB 636 (2012)

Currently, trusts that hold a certain kind of property owned by a husband and a wife will be considered a qualified spousal trust if the property is held in one trust or the property is held in two separate shares of one trust. This act allows a trust to be considered a qualified spousal trust if the trust consists of both property held in one trust for both spouses and property held in two shares of one trust for each spouse.

TRUST PROTECTORS

Section 456.8-808; HB 1166 (2012) & SB 761 (2012)

This act modifies the law regarding trusts to specifically allow for the appointment of a trust protector. The trust protector is a person who is given power over the trust by the document that creates the trust.

The trust protector's powers may include: the power to remove and appoint a trustee, or name a

SPONSOR: Schaefer

HANDLER: Kelly

successor trust protector, the power to modify or amend the documents that created the trust, the power to modify the interests of a beneficiary of the trust, the power to terminate the trust in favor of the beneficiary, the power to change which law applies to the trust and which state the trust is located in, and any powers that are expressly included in the trust documents.

The trust protector is not a trustee but shall act in a fiduciary capacity in carrying out the duties and powers granted by the trust instrument to the trust protector. The trust protector will not be liable for his or her acts or omissions unless they are done in breach of the trust protector's duty, in bad faith, or with reckless indifference. Unless it is established that the trust protector acted in bad faith or with reckless indifference, the trust protector will be reimbursed from the assets of the trust for the costs and expenses of defending a lawsuit against him or her. A trust protector is entitled to reasonable compensation from the trust assets for carrying out the powers given to them by the trust document.

The act also provides that the trust protector is entitled to certain information about the trust, provides authority for a trust protector to resign by providing written notice to the trustee, and specifies that the courts have jurisdiction over a trust protector while the administration of the trust is in Missouri.

COURT AUTOMATION FUND

Section 476.055; HB 1460 (2012)

Currently, a court fee is collected and deposited into the Statewide Court Automation Fund. The Court Automation Committee may use moneys in the fund for court automation. Collection of the fee is set to expire on September 1, 2013. The Committee is to cease functions no later than September 1, 2015. Unexpended moneys remaining in the fund will be transferred to the general revenue fund on September 1, 2013.

This act extends collection of the court fee until September 1, 2018. Moneys left in the fund on that date will be transferred to the general revenue. The Committee shall cease functions on September 1, 2020.

ADMINISTRATIVE ADJUDICATION SYSTEM

Section 479.011

Springfield will be allowed to establish an administrative adjudication system.

MUNICIPAL ORDINANCE VIOLATIONS

Section 479.040; HB 1636 (2012)

Currently, municipalities that make an election to have violations of their ordinances heard by an associate circuit court or county municipal court must have all violations of their ordinances heard by such a court. This act allows municipalities to elect to have only violations by an accused with special needs due to mental illness or mental disorder heard by such courts. If the election is for an associate circuit court to handle such matters, the presiding judge of the circuit must consent to the election. If the election is for a county municipal court to handle such matters, a county contract must permit the election.

The prosecutor must make a designation of special needs on the information. The matter will be transferred back to the municipal court if the associate circuit court or county municipal court does not have established resources for handling such matters or the court determines the accused does not have special needs.

SPONSOR: Schaefer

HANDLER: Kelly

ST. LOUIS CITY CIRCUIT CLERK

Section 483.015; HB 1560 (2012) & SB 788 (2012)

This act requires that the circuit clerk for the twenty-second judicial circuit be appointed by a majority of the judges of that circuit. The circuit clerk shall be removable for cause by a majority of the circuit judges. The elected circuit clerk holding office when this act takes effect will remain in office for the remainder of his or her term.

INMATE SECURITY FUND

Section 488.5026; SB 628 (2012)

This act modifies the uses of money from a current court surcharge in criminal cases. The uses of moneys in the fund are modified to include the purchase of information sharing equipment to allow inmates, detainees or prisoners in a shorter term detention facility to be identified upon booking and tracked within certain law enforcement or criminal justice systems.

COST FOR EXAMINING ELECTRONICS IN SEXUAL OFFENSE CASES

Section 488.5375; HB 1896 (2012)

This act allows courts to order a defendant, upon a plea of guilty or a finding of guilt for a felony sexual offense, to reimburse the state or local law enforcement agency for the reasonable costs incurred in the examination of certain seized electronic devices. The costs will be established by each law enforcement agency, but the court may reduce the costs if it determines them to be excessive.

VULNERABLE PERSONS, DOMESTIC ASSAULT & CHILD ABUSE

HB 1790 (2012) & HB 1907(2012)

This act creates a hearsay exception for vulnerable persons similar to the exception for children under 14 used in certain criminal cases. There requirement that the offense be performed with or on the declarant is removed.

SECTION 491.075

The crime of domestic assault is modified to include acts involving a child who is a member of the family or household and not acts against persons in a romantic relationship with the actor.

SECTIONS 565.072, 565.073 & 565.074

The crime of abuse of a child changed to abuse or neglect of a child. A person commits the crime if they cause a child under 18 to suffer physical or mental injury, to be placed in a situation which may result in physical or mental injury, or to suffer abusive head trauma. The crime is a class C felony. If the act involved serious physical or emotional injury or the person was previously found guilty of this crime, the person will be guilty of a class B felony. An act will be a class A felony if it involves a serious physical or emotional injury, the victim is less than 14 years old, and the injury is a result of sexual abuse.

SECTION 568.060

INVERSE CONDEMNATION AND DANGEROUS CONDITIONS ON PUBLIC PROPERTY

Sections 508.050 & 523.010; HB 1293 (2012) & SB 704 (2012)

This act requires that suits against municipal corporations involving dangerous conditions of public property or suits in inverse condemnation be brought in the county in which all or part of the property lies.

PROPERTY EXEMPT FROM ATTACHMENT & EXECUTION

Sections 513.430 & 513.440; HB 1527 (2012) & SB 683 (2012)

SPONSOR: Schaefer

HANDLER: Kelly

Currently any motor vehicle less than \$3,000 in value is exempt from execution or attachment. This act requires that all motor vehicles owned by a debtor be considered together and only their aggregate value less than \$3,000 shall be exempt. Mobile homes used as principal residences cannot be attached to real property to be exempt. The exemption for local public assistance benefits is broadened to include all public assistance benefits. The age for dependents included in the head of household exemption calculation is raised from eighteen to twenty-one.

FEDERAL SEIZURE PROCEEDS

Section 513.653; HB 1672 (2012)

Currently, a law enforcement agency involved in using the federal forfeiture system under federal law is required each fiscal year to acquire an independent audit of the federal seizures and proceeds therefrom and provide the audit to its governing body, the Department of Public Safety, and the Office of the State Auditor. This act removes the audit requirement and requires the law enforcement agency to file an annual report by January 31 regarding federal seizures and proceeds for the previous year with the department and the auditor's office.

LANDOWNER LIABILITY TO TRESPASSERS

Sections 537.345, 537.346 & 537.351; HB 1194 (2012), HB 1196 (2012), HCS/HB 1254 (2012), HB 1286 (2012) & HCS/HB 1860 (2012)

This act specifies that possessors of real property owe no duty of care to a trespasser except for intentional acts. Three other exceptions are created where the possessor may be liable for the death or injury of a trespasser:

- (1) Children trespassers injured by a dangerous condition on the land;
- (2) Possessor knows that trespassers frequently intruded on an area with a dangerous artificial condition; or
- (3) Possessor knows of the trespassers presence and failed to warn of a dangerous condition.

A possessor or real property may use justifiable force to repel a criminal trespasser.

CONDUCT AT PUBLIC MEETINGS

Section 537.528; HB 1615 (2012)

Currently, any action seeking monetary damage against a person for conduct or speech at a public hearing or meeting is subject to a special motion to dismiss, a motion for judgment on the pleadings, or a motion for summary judgment so it can be considered on an expedited basis. This act allows any action against a person for conduct or speech at a public hearing or meeting to be subject to these special motions.

UNCLAIMED SEIZED ELECTRONICS

Section 542.301; HB 1896 (2012)

This act specifies that computers, computer equipment, computer software and hardware, cellular telephones, or other devices capable of accessing the internet which are used by the owner or with the owner's consent as a means for committing felonies must be forfeited to the state. Such forfeited equipment that had been used in the acquisition, possession, or distribution of child pornography or obscene material may, upon a court order, be retained by the law enforcement agency and used in criminal investigations.

SENTENCING ADVISORY COMMISSION

Section 558.019; HCS/HB 1515 (2012) & HB 1817 (2012)

SPONSOR: Schaefer

HANDLER: Kelly

The requirement that the Sentencing Advisory Commission biannually distribute its sentencing recommendations is eliminated. The commission is prohibited from making recommended sentences for specific cases pending in the courts.

SEXUAL MISCONDUCT INVOLVING A CHILD

Section 566.083; HB 1896 (2012)

The crime of sexual misconduct involving a child is modified to include when a person knowingly coerces or induces a female child who is known by the person to be younger than 15 years of age to expose the breasts of a female child through the internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child.

FIRST DEGREE PROPERTY DAMAGE

Section 569.100; HB 1125 (2012)

The crime of property damage in the first degree is modified to include when a person knowingly damages a motor vehicle of another while making entry into the vehicle for the purpose of stealing it or the damage occurs while committing the crime of stealing within the vehicle. Anyone who commits this crime will be guilty of a Class C felony unless it is a subsequent violation in which case he or she will be guilty of a Class B felony.

AIRPORT AUTHORITY

Section 1

Eligible entities may individually or jointly form an airport authority. The airport authority will have jurisdictional boundaries conterminous with the eligible entities. The authority must have "airport authority" in the name.

SEXUAL OFFENDER REGISTRY

Section 2

This act requires the Joint Committee on the Missouri Criminal Code to evaluate which offenses should be removed from the sexual offender registry.

MIKE HAMMANN

SPONSOR: Parson

HANDLER: Reiboldt

CCS/HCS/SCS/SB 631 - This act modifies provisions pertaining to animals and agriculture.

SECTION 178.530 - AGRICULTURAL EDUCATION IN PRIVATE SCHOOLS

The act requires the State Board of Education to establish standards for agricultural education that may be adopted by a private school. The standards must be sufficient to allow a private school to apply to host a local chapter of a national agricultural education association. These local chapters at private schools are not eligible to receive state or federal funding for agricultural vocational education and the private schools must annually reimburse the Department of Elementary and Secondary Education for its administrative costs.

This section is identical to CCS/SS/SCS/HB 1073 & HCS/HB 1477 (2012) and similar to CCS/HCS/SCS/SB 635 (2012), CCS/SB 599 (2012) and HB 1953 (2012).

SECTIONS 262.255 AND 1 & 2 - EXHIBITING LIVESTOCK

The act requires the State Fair Commission to permit livestock breeders and qualifying 4-H and Future

SPONSOR: Parson

HANDLER: Reiboldt

Farmers of America (FFA) members to exhibit livestock at the Missouri State Fair. The act also requires the governing bodies of any national, state, or local fair, exposition or pet show at which livestock or domestic animals are exhibited, to permit livestock breeders, pet owners, and qualifying 4-H and FFA members to exhibit their animals. The act gives authority to the State Fair Commission and governing bodies of fairs, expositions, or pet shows to establish rules and fees for their events.

These sections are identical to HCS/HB 1363 (2012).

SECTION 276.401 - MISSOURI GRAIN DEALER LAW

Under current law, certain manufacturers and processors of animal feed are by definition not considered grain dealers under the Missouri Grain Dealer law if, among other things, such individuals do not purchase more than \$100,000 worth of grain a year. This act replaces the \$100,000 threshold with a 50,000 bushel threshold.

This section is identical to CCS/SS/SCS/HB 1073 & HCS/HB 1477 (2012).

SECTION 304.180 - LOAD LIMITS ON ROADWAYS

Under current law, the total gross weight of a vehicle or combination of vehicles hauling livestock can be up to 85,500 pounds on certain highways. The act modifies the highways to which this provision applies. The act also allows a vehicle weighing up to 85,500 pounds to haul milk from a farm to a processing facility on highways other than the interstate highway system.

This section is similar to HCS/HB 1212 (2012).

SECTIONS 350.015 & 350.017 - CORPORATIONS OWNING FARMLAND

The act creates an exemption to the prohibition on corporate farming for land in use for pork production as of September 28, 2007 in Daviess, Gentry, or Worth counties. Companies may not expand their operations on the exempted land but may maintain their existing operations.

SECTIONS 537.850 TO 537.859 - AGRITOURISM PROMOTION ACT

The act creates the Agritourism Promotion Act. Registered agritourism operators are required to post certain warning notices and include warning language in contracts. The act provides that registered agritourism operators are not liable for injuries to, or the death of, a participant in agritourism that result from the inherent risks of agritourism activities. The liability of an agritourism operator who engages in willful or wanton conduct or has actual knowledge of a dangerous condition in the land, facilities, or equipment is not limited.

These sections are similar to HB 1254 (2012), HB 633 (2011), and HB 2362 (2010).

SECTIONS 578.005 AND 578.013 - DUTY TO REPORT ANIMAL ABUSE

Under the act, employees of animal agricultural operations who videotape what they suspect is animal abuse must provide the recording to a law enforcement agency within 24 hours. Any such recordings must not be edited in any way. An intentional violation of the act is a Class A misdemeanor.

ERIKA JAUQUES

SPONSOR: Pearce

HANDLER: Phillips

CCS/HCS/SCS/SB 635 - This act modifies the law relating to financial institutions, school funds,

SPONSOR: Pearce

HANDLER: Phillips

private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences.

FEDERAL HOME LOAN BANKS

Currently, irrevocable standby letters of credit issued by a federal home loan bank possessing the highest credit rating by at least one nationally recognized rating agency are listed as acceptable collateral for public deposits. This act removes the reference to credit ratings. (Section 30.270)

STATE PURCHASING PREFERENCES

Currently, the Commissioner of Administration is required to give preference to certain commodities in making purchases. This act included forest products and bricks that have been processed in the state. (Section 34.070)

DOE RUN CONSENT DECREE

Moneys received by certain school funds as a result of the Doe Run settlement decree shall not be included in the district's local effort figure. (Section 163.024)

AGRICULTURAL EDUCATION PROGRAMS

The state board of education is required to establish standards for agricultural education that may be adopted by certain private schools that wish to provide vocational programming outside of, but consistent with, the requirements of the federal vocational education act. The school shall be qualified to apply for approval of a local chapter of a federally chartered national agricultural education association. The school shall reimburse the department for the cost of oversight and maintenance of the program. (Section 178.530)

ESTABLISHMENT AND MAINTENANCE OF PRIVATE ROADS

The act modifies the law governing the establishment, improvement, and maintenance of private roads.

This act establishes a process for establishing a plan of maintenance for private roads when adjoining homeowners or homeowners who hold easements to use private roads are unable to agree in writing upon a plan of maintenance for a private road. If the homeowners are unable to agree to a plan of maintenance, one or more of the homeowners may petition the circuit court for an order establishing a plan of maintenance.

Under the terms of the act, the cost of the maintenance plan for a private road must be apportioned among the homeowners according to the use and benefit to the residential property benefitted by the access as mutually agreed by the homeowners or as ordered by the court. The method of apportionment established by the homeowners or ordered by the court may be based on equal division, residential assessed value, usage or benefit or other methods.

The act provides that a court may implement the same procedures to order a plan of maintenance for establishing or widening a private road. The act further provides that the court may appoint disinterested commissioners to determine a maintenance plan and the apportionment of costs.

If homeowners are unable to agree upon the designation of a supervisor to complete a maintenance plan, then the commissioners appointed by the court shall designate a supervisor. The appointed supervisor shall be compensated in the same manner as the commissioners.

SPONSOR: Pearce

HANDLER: Phillips

Under the act, any agreement executed by all owners for, or final order approving, a plan of maintenance shall be recorded with the county recorder of deeds. Under the terms of the act, adjoining landowners or holders of an easement to use a private road may bring an action to enforce the maintenance plan, whether as mutually agreed or as ordered by the court.

The act allows a prior agreement or court order establishing a plan of maintenance to be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners. A court proceeding to amend, modify, or restate a plan of maintenance shall not be filed sooner than 7 years from the entry of a prior order unless there is prima facie evidence showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit is inequitable.

For the purposes of obtaining a maintenance order, the act defines "private road" as any private road established under chapter 228 or any easement of access which provides a mean of ingress and egress by motor vehicle for any owners of residences from such homes to a public road. The act specifies that private roads do not include roads owned by the United States, the state of Missouri, or other political subdivisions. The act also specifies that the provisions of law that pertain to the establishment and maintenance of private roads shall not apply to roads created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. In addition, the private road statutes shall not apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration. (Sections 228.341, 228.368, 228.369, 228.374)

WATERCRAFT, VEHICLE, AND TRAILER LIENS

Currently, on a refinance of a loan secured by a watercraft, motor vehicle, or trailer, a lien is perfected by delivering the notice of lien to the director of revenue. The act modifies this provision only to apply to refinances by different lenders on prior loans. (Sections 301.600, 306.400)

REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES

This act modifies provisions regarding real estate appraisers and appraisal management companies. The Missouri Certified and Licensed Real Estate Appraisers Act is renamed the Missouri Certified and Licensed Real Estate Appraisers and Appraisal Management Company Regulation Act.

The following trainee licenses are created: state-licensed appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee. The Missouri Real Estate Appraisers Commission is required to adopt rules and procedures for issuing and regulating the three appraiser trainee licenses. To renew a trainee license, the individual must request an extension at least 30 days before the expiration of the license. Licensed trainees must place their license number beside their title on reports or other documents used in conducting appraisals. Licensed trainees must disclose their addresses to the Commission and any change in address. The Commission may cause complaints to be filed with the Administrative Hearing Commission against licensed trainees. Licensed trainees must comply with the Uniform Standards of Professional Appraisal Practice.

The Missouri Real Estate Appraisers Fund is renamed the Missouri Real Estate Appraisers and Appraisal Management Company Fund. The authority is removed for the Missouri Real Estate Appraisers Commission to extend the terms of certificates or licenses for individuals that failing to renew. The Commission can only issue inactive certificates or licenses for state-certified real estate appraisers or

SPONSOR: Pearce

HANDLER: Phillips

state-licensed real estate appraisers.

The requirement that the signature of the chairman of the Commission and a certificate or assigned license number be on each certificate or license is removed.

Appraisal management companies are exempted from certain licensing and examination requirements. Appraisal management companies must disclose their license numbers on engagement letters. They must notify the Commission of a change in their controlling person, agent of record, ownership, or address within 30 days of a change. The Commission may cause complaints to be filed with the Administrative Hearing Commission against appraisal management companies other than natural persons. Appraisal management company records must be retained for five years and made promptly available to the Commission for inspection and copying. It will be a Class B misdemeanor for any company or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to the public or representation as a licensed appraisal management company when it is not. The Commission is required to maintain a registry of the names and addresses of appraisal management companies .

The act adds influencing the development, reporting, or review of an appraisal through certain methods as a reason for the Commission to file a complaint. (Sections 339.500 - 339.549)

FINANCIAL INSTITUTION FILINGS

Currently, certain banks, savings institutions, and credit unions are required to file a notice with the Missouri Real Estate Appraisers Commission that includes some of the same information and certifications that real estate appraisal management companies must file. This act eliminates the requirement that these banks, savings institutions, and credit unions file this notice. (Section 339.1115)

FINANCIAL INSTITUTION TRUST AUTHORITY

Currently, Missouri banks and trust companies with trust powers, and national banks with trust powers under United States laws with their principal place of business in Missouri, are authorized to transfer fiduciary obligations consisting only of irrevocable life insurance trusts to the Missouri trust office of an out of state bank with trust powers or to an out of state trust company. This act allows all banks, trust companies, and national banks with trust powers, regardless of location, to transfer those obligations to any such banks and trust companies. (Section 362.333)

UNIFORM COMMERCIAL CODE

Currently, the filing of a financing statement is not necessary to perfect a security interest in property subject to certain statutes, regulations, and treaties. Such a filing is currently necessary for property held as inventory held for sale or lease by a person in the business of leasing certain goods. This act removes that exception. (Section 400.9-311)

CAREER AND TECHNICAL STUDENT ORGANIZATIONS

The Department of Elementary and Secondary Education is required to provide staffing support for certain career and technical student organizations. The Department may require the organizations to provide sworn affidavits, attesting to proper receipt and disbursement of funds. (Section 1)

This act is similar to SB 71 (2011), HB 1308 (2012), HCS #2/HB 1524 (2012), SB 579 (2012), HB 1103 (2012), HB 1349 (2012), and SCS/SB 623 (2012).

CHRIS HOGERTY

SPONSOR: Keaveny

HANDLER: Diehl

CCS/HCS/SB 636 - This act modifies laws relating to the judiciary.

JOINT COMMITTEE ON CHILD ABUSE AND NEGLECT

Section 21.771; HB 1842 (2012) & HCS/SB 628 (2012)

This act establishes the Joint Committee on Child Abuse and Neglect which shall be composed of seven members of the House of Representatives appointed by the Speaker and Minority Floor Leader and seven members of the Senate appointed by the President Pro Tem and the Minority Floor Leader. No party may be represented by more than four members of the Senate and four members of the House of Representatives. The Committee will expire on January 15, 2018.

Among other duties, the Joint Committee is required to:

- (1) Study and analyze the state child abuse and neglect reporting and investigation system;
- (2) Devise a plan for improving the decision process for removal of a child from a home;
- (3) Determine the additional personnel and resources necessary to adequately protect children and improve their welfare; and
- (4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state.

DRIVER'S REGISTRATION AND MOTOR VEHICLE RECORDS

Section 32.056; HB 1627 (2012) & HCS/SB 628 (2012)

Currently, the Department of Revenue is prohibited from releasing the home address or any other information contained in the Department's motor vehicle or driver registration records for specified groups of individuals. This act adds any state or federal judge or his or her immediate family members to those groups. The act also limits the information withheld to the home address and information that identifies a vehicle owned by an individual in the specified groups. There is an exception allowing for release of the protected information to government agencies in carrying out their functions.

FRANKLIN COUNTY MUNICIPAL COURT

Section 67.320; HB 1211 (2012) & SB 888 (2012)

This act allows any Franklin County to establish a county municipal court. If Franklin County creates a county municipal court, the first judges are to be appointed by the county commission for terms of four years and subsequent judges are elected for terms of four years.

FAILING TO PAY BI-STATE DEVELOPMENT AGENCY FARE

Section 70.411; HB 1454 (2012) & SB 508 (2012)

Persons convicted of failing to pay the fare for use of Bi-State Development Agency facilities and conveyances may be required to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency.

JUVENILE COURT JURISDICTION

Section 211.031; HB 1171 (2012) & HCS/SB 628 (2012)

Current law provides that the juvenile court shall have jurisdiction over any child up to 15 and 1/2 years of age who is involved in a state or local traffic violation. This act lowers such age so that the juvenile court would have jurisdiction over any child up to 15 years of age in such instances.

SPONSOR: Keaveny

HANDLER: Diehl

VIDEOCONFERENCING OF PROBATION AND PAROLE HEARINGS

Section 217.670; HB 1826 (2012) & SB 823 (2012)

This act allows the board of probation and parole, or a hearing panel of such board, to conduct hearings with offenders via videoconference. Victims may testify at the site where the board is conducting the videoconference or at the institution where the offender is located. The offender or the victim may object to the use of videoconferencing and, upon such objection, the hearing will be conducted in person.

PERFECTION OF SECURITY INTERESTS

Section 400.9-311; HB 1153 (2012), HCS/HB 1400 (2012) & HCS/SB 628 (2012)

Currently, security interests in property subject to certain federal or state filing requirements can only be perfected by following such requirements. There is an exception for property held as inventory by a person in the business of selling or leasing goods of that kind. This act removes persons in the business of leasing goods of that kind from the exception.

QUALIFIED SPOUSAL TRUSTS

Section 456.950; HB 1165 (2012) & HCS/SB 628 (2012)

Currently, trusts that hold a certain kind of property owned by a husband and a wife will be considered a qualified spousal trust if the property is held in one trust or the property is held in two separate shares of one trust. This act allows a trust to be considered a qualified spousal trust if the trust consists of both property held in one trust for both spouses and property held in two shares of one trust for each spouse.

STATEWIDE COURT AUTOMATION FUND

Section 476.055; HB 1460 (2012) & HCS/SB 628 (2012)

Currently, a court fee is collected and deposited into the Statewide Court Automation Fund. The Court Automation Committee may use moneys in the fund for court automation. Collection of the fee is set to expire on September 1, 2013. The Committee is to cease functions no later than September 1, 2015. Unexpended moneys remaining in the fund will be transferred to the general revenue fund on September 1, 2013.

This act extends collection of the court fee until September 1, 2015. Moneys left in the fund on that date will be transferred to the general revenue. The Committee shall cease functions on September 1, 2017.

MUNICIPAL ORDINANCE VIOLATIONS

Section 479.040; HB 1636 (2012) & HCS/SB 628 (2012)

Currently, municipalities that make an election to have violations of their ordinance heard by an associate circuit court or county municipal court must have all violations of their ordinances heard by such a court. This act allows municipalities to elect to have only violations by an accused with special needs due to mental illness or mental disorder heard by such courts. If the election is for an associate circuit court to handle such matters, the presiding judge of the circuit must consent to the election. If the election is for a county municipal court to handle such matters, a county contract must permit the election.

The prosecutor must make a designation of special needs on the information. The matter will be

SPONSOR: Keaveny

HANDLER: Diehl

transferred back to the municipal court if the associate circuit court or county municipal court does not have established resources for handling such matters or the court determines the accused does not have special needs.

ST. LOUIS CITY CIRCUIT CLERK

Section 483.015; HB 1560 (2012), SB 788 (2012) & HCS/SB 628 (2012)

This act requires that the circuit clerk for the twenty-second judicial circuit be appointed by a majority of the judges of that circuit. The circuit clerk shall be removable for cause by a majority of the circuit judges. The elected circuit clerk holding office when this act takes effect will remain in office for the remainder of his or her term.

INVERSE CONDEMNATION AND DANGEROUS CONDITIONS ON PUBLIC PROPERTY

Sections 508.050 & 523.010; HB 1293 (2012), SB 704 (2012) & HCS/SB 628 (2012)

This act requires that suits against municipal corporations involving dangerous conditions of public property or suits in inverse condemnation be brought in the county in which all or part of the property lies.

MIKE HAMMANN

SPONSOR: Stouffer

HANDLER: Asbury

CCS/SS/SB 665 - This act authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission. The act further authorizes the governor to convey an easement to the city of Sedalia for the purposes of operating a fire station. The act also authorizes the governor to convey an easement located near the Choteau State Owned Office Building in the City of St. Louis.

This act exempts voluntary annexations approved by municipal ordinance from boundary commission review provided the area to be annexed is owned by the municipality, is contiguous with the municipality, and the area is to be used for park and recreation purposes (Section 72.401).

Under current law, community college districts and public school districts may only own real property within their boundaries. This act specifies that this provision will not apply to community college districts (Section 177.011). This provision is contained in HB 1980 (2012).

STEPHEN WITTE

SPONSOR: Dempsey

HANDLER: Richardson

HCS/SS/SCS/SB 682 - This act mandates that only licensed physicians may use certain techniques in diagnosing or treating chronic pain or pain occurring outside of a surgical, obstetrical, or post-operative course of care. Such techniques limited to licensed physicians are ablation of nerves, placement of drugs in the spinal column under fluoroscopic guidance, discectomy, and placement intrathecal infusion pumps or spinal cord stimulators.

The act will not apply to inter-laminar lumbar epidural injections performed at a hospital or ambulatory surgery center if the standard of care for medicare reimbursement is changed to allow reimbursement only with use of image guidance after the effective date of the act. This act will not apply

SPONSOR: Dempsey

HANDLER: Richardson

to certified registered nurse anesthetists or anaesthesiologist assistants providing surgical, obstetrical, or post-operative pain control.

The Board of Registration for the Healing Arts may promulgate rules to implement the provisions of this act. The provisions of this act will expire August 28, 2016, unless reauthorized by an act of the General Assembly.

MIKE HAMMANN

***** SB 689 *****

SPONSOR: Engler

HANDLER: Schad

SS/SCS/SB 689 - Under current law, a person who recklessly and purposely causes serious injury to an elderly person commits the crime of second degree elder abuse. This act makes it so a person who recklessly or purposely causes such injury has committed the crime.

This act adds undue influence to the types of acts that, when committed against an elderly or disabled person, constitute the crime of financial exploitation.

Undue influence is defined under the act to mean influence by a person who has authority over the elderly or disabled person in order to take unfair advantage of the person's vulnerable state of mind, neediness, pain, or agony. It includes improper use of various types of fiduciary authority.

This act makes it an unlawful violation of the financial exploitation statute to fail to remit to a nursing facility in which a Medicaid eligible person resides all money owing the facility resident from any source.

This act allows the Department of Social Services to release records regarding the income or assets of a resident of a facility licensed under Chapter 198 to prosecuting attorneys who are investigating or prosecuting an offense of financial exploitation.

If a person admits to or is found guilty of failing to remit money owed to a facility licensed under Chapter 198, the court can order the offender to make restitution to the facility as a condition of sentence and/or probation. Any order or agreement for restitution must allow the prosecuting attorney to receive ten percent of each payment toward the restitution as reimbursement for the cost of enforcement.

MEGHAN LUECKE

***** SB 715 *****

SPONSOR: Kraus

HANDLER: Day

SCS/SB 715 - Currently the maximum age for service in the state militia is sixty-four. This act allows the adjutant general to waive the age limit on a case-by-case basis.

Provisions relating to a procedure for members of the state military to file complaints regarding their commanding officer are repealed.

This act is similar to HB 1105 (2012).

MIKE HAMMANN

***** SB 719 *****

SPONSOR: Kehoe

HANDLER: Brown

SPONSOR: Kehoe

HANDLER: Brown

CCS#2/SS/SCS/SB 719 - This act modifies various provisions relating to the regulation of transportation.

BOATING SAFETY IDENTIFICATION CARD - Under this act, any person or company that rents or sells vessels may issue temporary boating safety identification cards to nonresidents to operate rented vessels or vessels being considered for sale, for a period of up to 7 days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. The Missouri State Highway Patrol shall charge a fee of \$9 for the temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. Under the act, the Missouri State Highway Patrol is authorized to develop the temporary boating safety identification card. The act requires businesses that issue temporary boating safety identification cards to transmit the applicant's information and payment to the Missouri State Highway Patrol using an electronic online registration process developed and provided by the patrol. The electronic online registration process shall allow the applicant to pay the \$9 fee by credit card, debit card, or other commercially approved electronic method. The act imposes a sunset date of December 31, 2022, on the nonresident temporary boating safety identification card program. This portion of the act contains an emergency clause (see Section B). This portion of the act is similar to SCS/HCS/HB 1640 (2012). The provision is also contained in the truly agreed to versions of SB 568 and HB 1402 (Section 306.127).

MOTORCYCLE RIDER TRAINING COURSE EXEMPTION - Under this act, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the U.S. armed forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement (section 302.173). This provision is also contained in SB 564 (2012) .

OUTBOARD MOTOR TITLES - Under the terms of this act, effective August 28, 2012, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". Any outboard motor manufactured on or after July first of any year shall be labeled "Year Manufactured" with the calendar year immediately following the year manufactured unless the manufacturer indicates a specific model or program year. This provision is contained in the truly agreed to versions of SB 568 and SB 480 (2012). The provision may also be found in HB 1759 (2012)(Section 306.532).

SELLING OR ADVERTISING IN STATE PARKS - Under current law, persons are prohibited from offering or advertising merchandise or other goods for sale or hire, or to maintain any concession, or use any park facilities, buildings, trails, roads or other state park property for commercial use except by written permission or concession contract with the department of natural resources. This act provides that this prohibition shall not apply to the normal and customary use of public roads by commercial and noncommercial entities for the purpose of transporting persons or vehicles, including but not limited to, canoes (Section 577.073). This portion of the act is subject to an emergency clause.

STEPHEN WITTE

SPONSOR: Schaefer

HANDLER: Kelly

SCS/SB 729 - Under this act, Boone and Greene counties are not required to obtain bids on purchases of \$6,000 or less. Such amount is set at \$4,500 for counties under current law.

Under current law, counties may waive competitive bidding when the County Commission determines that there is only one feasible source for the supply. The commission must post notice for such proposed purchases of at least \$3,000 and also advertise in the newspaper for such purchases of at least \$5,000.

This act changes the notice and advertising requirements for Boone and Greene counties, so they are only required to advertise and post notice on such proposed purchases when they exceed \$6,000.

This act is similar to SB 871 (2010), SB 1254 (2008), certain provisions of SS/SCS/HB 376 (2009), HCS/SB 386 (2009), and SB 256 (2009).

MEGHAN LUECKE

***** SB 736 *****

SPONSOR: Engler

HANDLER: Gatschenberger

SB 736 - Currently, certain counties are required to spend at least twenty-five percent of the money coming to the county from the special road and bridge tax levied within a city or town on repairing and improving existing roads, streets, and bridges within the city or town where the money came from. This act exempts St. Francois County from this requirement.

This act is identical to HB 1701 (2012) and a provision of HCS/HB 1397 (2012) and HCS/SB 692 (2012).

EMILY KALMER

***** SB 749 *****

SPONSOR: Lamping

HANDLER: Jones

CCS/HCS/SS/SB 749 -This act modifies provisions relating to the protection of the religious beliefs and moral convictions of certain persons and health care entities.

The rights guaranteed under the act are in addition to the rights guaranteed under Section 376.805, relating to health plan coverage of abortion, and Section 376.1199, relating to health plan coverage of certain obstetrical and gynecological benefits and pharmaceutical coverage. No employee, self-employed person, or any other person shall be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person.

No employer, health plan provider, health plan sponsor, health care provider, or any other person or entity shall be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, person, or entity.

No such employee, self-employed person, employer, health plan provider, health plan sponsor, health

SPONSOR: Lamping

HANDLER: Jones

care provider, or any other person or entity shall be discriminated against by any governmental entity, public official, or entity acting in a governmental capacity for failing to obtain or provide coverage for, pay for, participate in, or refer for such coverage because of such religious beliefs or moral convictions.

This act allows the Missouri Attorney General to bring a civil action in any appropriate state or federal court whenever there is reasonable cause to believe that the provisions of this act or other law that protects the religious beliefs or moral convictions of such entities or persons have been or is threatened to be violated.

Nothing in this act shall preclude a private cause of action by any person or entity aggrieved by a violation of this act or other law that protect the religious beliefs or moral convictions of such entities or persons, or be considered a limitation on any other remedy permitted by law. A court may order any appropriate relief, including recovery of damages, payment of reasonable attorney's fees, costs, and expenses.

"Sterilization" for purposes of the act is defined to mean any elective medical procedure for which the sole purpose is to make an individual incapable of reproduction.

This act also requires health carriers to offer and issue to any person or entity purchasing a health benefit plan that excludes coverage for contraceptives based on religious beliefs or moral convictions. Any health benefit plan issued under the exception in Section 376.1199 is required to provide clear and conspicuous written notice on the employee's health benefit plan application and contract about optional riders for elective abortions and that the employee has the right to exclude and pay for coverage of elective abortions if such procedures are contrary to his or her religious beliefs and moral convictions.

This act contains an emergency clause for section 191.724 of the act.

ADRIANE CROUSE

***** SB 755 *****

SPONSOR: Mayer

HANDLER: Cookson

SS/SCS/SB 755 - Under this act, a person commits the crime of disturbing a house of worship if such person intentionally and unreasonably disturbs a building used for religious purposes by using profanity, rude or indecent behavior, or making noise. A person commits the crime if they engage in such behavior within the house of worship or so close to the building that the services are disturbed.

A person also commits the crime if he or she intentionally injures, intimidates, or interferes with any person exercising the right to religious freedom or who is seeking access to a house of worship.

A first offense is a Class B misdemeanor, a second is a Class A misdemeanor, and a third or subsequent offense is a Class D felony.

MEGHAN LUECKE

***** SB 769 *****

SPONSOR: Kraus

HANDLER: Cierpiot

CCS/HCS/SS/SB 769 - SECTION 99.845 - JACKSON COUNTY TRANSIT AUTHORITY AND
TIF

SPONSOR: Kraus

HANDLER: Cierpiot

This act adds sales taxes levied by the Jackson County Transit Authority for the operation of transportation facilities to the list of taxes that may not be deposited into a special allocation fund for the purposes of tax increment financing.

This provision is similar to a provision of HCS/SB 668 (2012) and SS#2/SCS/HCS/HB 1623 (2012).

SECTIONS 135.215 & 135.963 - ENTERPRISE ZONES

This act specifies that the exemptions from assessment and payment of one-half of the taxes imposed on improvements to real property in enterprise zones or in enhanced enterprise zones only apply if the political subdivision or municipality levies ad valorem taxes.

SECTION 321.228 - RESIDENTIAL CONSTRUCTION REGULATORY SYSTEMS

This act prohibits a fire protection district from enforcing any regulations dealing with new residential construction if the city, town, village, or county in which the construction is located has already adopted regulations for such construction.

Fire protection districts, do, however, have final regulatory authority over the location and specifications of fire hydrants and fire lanes as relating to residential construction and may inspect certain dwellings. They may not collect a fee for such services.

This provision is similar HCS/HB 1458 (2012) and a provision of SCS/HCS/HB 1623 (2012).

SECTION 701.550 - ANEMOMETER TOWERS

The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given until January 1, 2014, to comply with the act's requirements. A violation of the act is a Class B misdemeanor.

SECTION 1. - HEALTH INFORMATION ORGANIZATIONS

The act prohibits any state law from imposing a fine or penalty on a healthcare provider, hospital, or health care system for failure to participate in a health information organization. Laws in effect as of January 1, 2010 are not affected by the act.

ERIKA JAKUES

SPONSOR: Kraus

HANDLER: Cox

SCS/SB 789 - Under current law, a surcharge of \$30 is assessed in criminal cases in which a defendant is found guilty of a felony, a surcharge of \$60 is assessed if the defendant is found guilty of a Class A or B felony or an unclassified felony under Chapter 195, and \$15 is assessed if the defendant is found guilty of a misdemeanor. The money goes into the "DNA Profiling Analysis Fund".

The surcharge was set to expire on August, 28, 2013. This act extends the expiration date to August 28, 2019.

SPONSOR: Kraus

HANDLER: Cox

In addition, this act repeals a provision that redirects the funds to the state's general revenue if such revenue did not increase by two percent or more from the previous fiscal year.

Current law requires people who move to Missouri under an interstate compact or other reciprocal agreement to provide a DNA sample if the offense committed in the other jurisdiction would be considered an offense requiring the collection of a DNA sample under Missouri law. Under this act, a DNA sample is collected from any person found guilty of any felony offense who moves to Missouri pursuant to an interstate compact or similar agreement.

This act requires offenders to provide a DNA sample at the time of registering as a sex offender.

When a prosecutor declines to prosecute someone whose DNA was collected at the time of arrest, the arresting agency is required under current law to notify the crime laboratory within 90 days. The crime lab must expunge the DNA records and sample unless the person is otherwise obligated to submit a sample.

This act specifies that the arresting agency has 90 days upon receiving notification by the prosecuting attorney to contact the crime lab. The crime lab then has 30 days from receiving notice by the arresting agency to determine whether the person arrested has any other offenses or arrests on record that would require the person to submit a DNA sample. If the person does not have any other qualifying arrests or offenses, then the crime lab must destroy the DNA records and sample.

This act is similar to HB 1422 (2012).

MEGHAN LUECKE

***** SB 835 *****

SPONSOR: Kehoe

SCS/SB 835 - This act updates references to fireworks classifications in the Code of Federal Regulations and removes references to American Pyrotechnics Association standards.

This act contains an emergency clause.

MEGHAN LUECKE

***** SB 837 *****

SPONSOR: Dempsey

HANDLER: Jones

SCS/SB 837 - The act modifies the definition of franchise under Missouri franchise law, specifically for agreements between alcohol wholesalers and suppliers so that a franchise may exist even without a license to use a trade name, trademark, or service mark and regardless if there is a community of interest in the marketing of the products. The act states the General Assembly's intention that judicial interpretation of cases involving the definition of franchise should rely on certain state cases as indicated as opposed to a recent federal court decision as specified.

This act is similar to HCS/HB 1841 (2012).

ERIKA JAQUES

SPONSOR: Lembke

HANDLER: Cox

SCS/SJR 51 - This constitutional amendment, if approved by the voters, would modify the composition of the Appellate Judicial Commission and the selection process for judges to the Supreme Court and the Court of Appeals.

This act increases the number of individuals that the Appellate Judicial Commission nominates for vacancies in the Supreme Court or Court of Appeals from three to four.

Currently, the Appellate Judicial Commission consists of seven members as follows: one Supreme Court judge, a member of the bar from each appellate district elected by members of the bar in that district, and a non-bar member citizen from each appellate district appointed by the Governor. This act replaces the judge member of the commission with an additional member appointed by the Governor. Members appointed by the Governor no longer must be non-bar members. The Governor will appoint one member from each appellate district and one from the state at large. The appointed members will serve terms of four years. Their terms will be staggered so that a Governor will appoint two when taking office and two during the middle of his or her term. The Supreme Court will appoint a former Supreme Court or Court of Appeals judge to serve as a nonvoting member of the commission. The former judge cannot have been removed for cause or failed to be retained in a retention election. The changes to the Appellate Judicial Commission will take effect on January 15, 2013.

MIKE HAMMANN

***** HB 1029 *****

SPONSOR: Flanigan

HANDLER: Dixon

HB 1029 - Currently, the Oversight Division of the Committee on Legislative Research conducts management and program audits. This act replaces those audits with program evaluations of state agencies, including budget transparency and accountability evaluations.

Program evaluations by the Division shall, in addition to the current requirement of determining whether the objectives and intended benefits are being achieved, indicate whether the absence of such achievements suggests the need for correction or additional legislation. Progress reports on program evaluations shall be made at least quarterly, rather than monthly, to the committee.

The Division Director shall present program evaluations completed during the previous legislative interim to the appropriate committee of each chamber during early hearings of that committee in the next regular session. Currently, the Division Director shall present a report on programs scheduled to sunset to General Assembly and the Governor at the beginning of each regular session of the General Assembly. This act requires such report to be presented to the House Budget Committee and Senate Appropriations Committee at the request of the chairs of the Committees.

JIM ERTLE

***** HB 1036 *****

SPONSOR: Dugger

HANDLER: Engler

SCS/HB 1036 - This act removes the first Tuesday after the first Monday in June as a date available for public elections. Currently, the first Tuesday after the first Monday in February is available for public elections. This act only allows bond elections to occur on that date.

This act allows tax elections necessitated by a financial hardship due to a 5% or greater decline in

SPONSOR: Dugger

HANDLER: Engler

per-pupil state revenue to a school district from the previous year, to be conducted at any time.

A provision requiring party emblems to be printed on ballots above party captions is repealed.

This act is similar to HB 2294 (2010), SB 270 (2011), SB 282 (2011), HB 121 (2011), and CCS/HCS/SCS/SB 569 (2012).

CHRIS HOGERTY

*** **HB 1037** ***

SPONSOR: Dugger

HANDLER: Purgason

HB 1037 - Under this act, road district commissioners may receive compensation for their services of up to \$100 per month. The compensation of a commissioner shall not change during the time of his or her term of office. Under current law, road district commissioners are not authorized to receive compensation for their services (only the payment of expenses, including reasonable attorney's fees is authorized).

This provision was contained in the truly agreed to version of HB 184 (2011)(Section 233.280).

STEPHEN WITTE

*** **HB 1039** ***

SPONSOR: Leara

HANDLER: Crowell

HB 1039 - This act allows retirees of the Missouri Local Government Employees' Regiment System to have premiums for health insurance or long-term care deducted from their retirement allowance.

MIKE HAMMANN

*** **HB 1042** ***

SPONSOR: Thomson

HANDLER: Pearce

SCS/HCS/HB 1042 – This act modifies provisions relating to higher education.

COORDINATING BOARD FOR HIGHER EDUCATION: The Coordinating Board will require all public two-year and four-year higher education institutions to replicate best practices in remediation, as described in the act. (Section 173.005)

The Coordinating Board will also require all public two-year and four-year higher education institutions, by July 1, 2014, to create a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. (Section 173.005)

The Coordinating Board must develop a policy to foster reverse transfer for students who have accumulated enough hours in combination with public higher education institution in Missouri that offers an associate degree and four-year institutions to be awarded an associate degree. (Section 173.005)

The Department of Elementary and Secondary Education must maintain the alignment of the statewide assessments for entry-level courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core with the existing competencies.

SPONSOR: Thomson

HANDLER: Pearce

(Section 173.005)

The Coordinating Board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions.

(Section 173.005)

The annual report that the Coordinating Board submits prior to the start of the legislative session must include the campus-level data on student persistence and a description of progress towards implementing revised remediation, transfer, and retention practices. (Section 173.040)

Current law requires each proprietary school to annually apply to the Coordinating Board for Higher Education for a certificate of approval. This act allows a proprietary school in continuous operation for no less than five years to be able to apply for certification valid for two years. (Section 173.606)

This act modifies the fees for a certificate of approval. The base annual fee is set at \$.0013 per one dollar of net tuition and fees income with a maximum of five thousand dollars and a minimum of five hundred dollars per school. For a school having a certificate of approval for the sole purpose of recruiting Missouri students, the fee will be five hundred dollars plus the amount produced by the foundation calculation, with a maximum of five thousand dollars. The Coordinating Board may increase the base annual fee every five years, beginning in fiscal year 2013 by administrative rule based on the consumer price index. The Coordinating Board may also establish additional appropriate fees if necessary to generate funding sufficient to cover the entirety of costs associated with the operation of the certification program. (Section 173.608)

Currently, the Coordinating Board may require each proprietary school to file a security bond. This act increases the maximum amount of the security bond from twenty-five thousand dollars to one hundred thousand dollars. This act also limits the Coordinating Board's collection of data from proprietary schools to that which is necessary for the administration, supervision, and enforcement of the proprietary school laws. The Department of Higher Education must establish a system to electronically submit all data. Also, the Department of Higher Education must review new programs within ninety days of a proprietary school's submission of such program and must review a revised program submission within sixty days. If the Department fails to review the program within the established timeframe, the proprietary school may offer the program until the review is completed. If the Department finds an issue that needs correction, it must give the school ninety days' notice and allow for correction. (Section 173.612)

The members of the Proprietary School Advisory Committee will be appointed by the Commissioner of Higher Education, instead of the Coordinating Board. Also, members of the committee must be owners or managerial employees of proprietary schools. At least three members of the committee must represent schools that confer a degree and at least one of the three must represent a school that confers a baccalaureate degree or higher. (Section 173.614)

This act allows the Department of Higher Education to take action against any violation of the proprietary school laws that is authorized in section 407.020, relating to unlawful merchandising practices. (Section 173.618)

These provisions are substantially similar to CCS/HCS/SB 455 (2012) and HCS/HB 1722 (2012).

SPONSOR: Thomson

HANDLER: Pearce

NORTHWEST MISSOURI STATE UNIVERSITY BOARD OF REGENTS: This act provides that not more than two voting members of the board of regents of Northwest Missouri State University may be residents of the same county.

This section is identical to SB 681 (2012) and a provision contained in HCS/SCS/SB 563 (2012) and SS/SB 650 (2012). (Section 174.332)

MISSOURI STATE UNIVERSITY BOARD OF GOVERNORS: Currently, six of the nine members' terms of the Missouri State University board of governors expire in 2011. However, current law also requires that no more than three terms expire in any given year and does not provide a mechanism to modify term lengths to accommodate the timing of the term expiration. This act modifies the term lengths for the appointments to fill the six terms that expired in 2011 so that no more than three of the nine board members' terms will expire in any given year. This act would allow three members' terms to expire on January 1, 2013, three members' terms to expire on January 1, 2015, and three members' terms to expire on January 1, 2017.

This section is identical to a provision contained in HCS/SCS/SB 563 (2012) and CCS#2/HCS/SB 455 (2012). (Section 174.450)

MICHAEL RUFF

*** **HB 1094** ***

SPONSOR: Wieland

HANDLER: Munzlinger

SS/SCS/HCS/HB 1094 - This act requires the Commissioner of the Office of Administration to develop and implement a statewide system or contact with any third party to allow all state agencies and departments to accept electronic payments. Agencies and departments shall not incur additional fees.

This act allows a county health center to make payments approved by its board of health center trustees through an electronic funds transfer system. Under current law, a center may only make payments using approved vouchers of the board.

This amendment creates the Missouri Revolving Information Trust Fund to contain moneys transferred to the Office of Administration by any state agency in return for information technology expenses.

This act is similar to HB 1096 (2012), and HCS/HB 1256 (2012).

CHRIS HOGERTY

*** **HB 1103** ***

SPONSOR: Crawford

HANDLER: Parson

HB 1103 - This act modifies provisions relating to private roads and real estate appraisal.

ESTABLISHMENT, IMPROVEMENT, & MAINTENANCE OF PRIVATE ROADS
(Sections 228.341, 228.368, 228.369 & 228.374)

This act establishes a process for establishing a plan of maintenance for private roads when adjoining homeowners or homeowners who hold easements to use private roads are unable to agree in writing upon a plan of maintenance for a private road. One or more of the homeowners may petition the circuit court

SPONSOR: Crawford

HANDLER: Parson

for an order establishing a plan of maintenance.

The cost of the maintenance plan for a private road must be apportioned among the homeowners according to the use and benefit to the residential property benefitted by the access as mutually agreed by the homeowners or as ordered by the court. The method of apportionment established by the homeowners or ordered by the court may be based on equal division, residential assessed value, usage or benefit or other methods.

A court may implement the same procedures to order a plan of maintenance for establishing or widening a private road. The court may also appoint disinterested commissioners to determine a maintenance plan and the apportionment of costs.

If homeowners are unable to agree upon the designation of a supervisor to complete a maintenance plan, then the commissioners appointed by the court shall designate a supervisor. The appointed supervisor shall be compensated in the same manner as the commissioners.

Any agreement executed by all owners for or final order approving a plan of maintenance shall be recorded with the county recorder of deeds. Adjoining landowners or holders of an easement to use a private road may bring an action to enforce the maintenance plan, whether as mutually agreed or as ordered by the court.

The act allows a prior agreement or court order establishing a plan of maintenance to be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners. A court proceeding to amend, modify, or restate a plan of maintenance shall not be filed sooner than 7 years from the entry of a prior order unless there is prima facie evidence showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit is inequitable.

For the purposes of obtaining a maintenance order, the act defines "private road" as any private road established under chapter 228 or any easement of access which provides a mean of ingress and egress by motor vehicle for any owners of residences from such homes to a public road. The act specifies that private roads do not include roads owned by the United States, the state of Missouri, or other political subdivisions. The provisions of law that pertain to the establishment and maintenance of private roads shall not apply to roads created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. In addition, the private road statutes shall not apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.

These provisions are similar to HCS#2/HB 1524 (2012) and HCS/SCS/SB 635 (2012)

REAL ESTATE APPRAISAL (Sections 339.500-339.549)

This act modifies provisions regarding real estate appraisers and appraisal management companies. The Missouri Certified and Licensed Real Estate Appraisers Act is renamed the Missouri Certified and Licensed Real Estate Appraisers and Appraisal Management Company Regulation Act.

The following trainee licenses are created: state-licensed appraiser trainee, state-certified residential

SPONSOR: Crawford

HANDLER: Parson

appraiser trainee, and state-certified general appraiser trainee. The Missouri Real Estate Appraisers Commission is required to adopt rules and procedures for issuing and regulating the three appraiser trainee licenses. To renew a trainee license, the individual must request an extension at least 30 days before the expiration of the license. Licensed trainees must place their license number beside their title on reports or other documents used in conducting appraisals. Licensed trainees must disclose their addresses to the Commission and any change in address. The Commission may cause complaints to be filed with the Administrative Hearing Commission against licensed trainees. Licensed trainees must comply with the Uniform Standards of Professional Appraisal Practice.

The Missouri Real Estate Appraisers Fund is renamed the Missouri Real Estate Appraisers and Appraisal Management Company Fund. The authority is removed for the Missouri Real Estate Appraisers Commission to extend the terms of certificates or licenses for individuals that failing to renew. The Commission can only issue inactive certificates or licenses for state-certified real estate appraisers or state-licensed real estate appraisers.

The requirement that the signature of the chairman of the Commission and a certificate or assigned license number be on each certificate or license is removed.

Appraisal management companies are exempted from certain licensing and examination requirements. Appraisal management companies must disclose their license numbers on engagement letters. They must notify the Commission of a change in their controlling person, agent of record, ownership, or address within 30 days of a change. The Commission may cause complaints to be filed with the Administrative Hearing Commission against appraisal management companies other than natural persons. Appraisal management company records must be retained for five years and made promptly available to the Commission for inspection and copying. It will be a class B misdemeanor for any company or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to the public or representation as a licensed appraisal management company when it is not. The Commission is required to maintain a registry of the names and addresses of appraisal management companies .

The act adds influencing the development, reporting, or review of an appraisal through certain methods as a reason for the Commission to file a complaint.

These provisions are similar to HB 1988 (2012), CCS/HCS/SCS/SB 635 (2012), HCS/SB 667 (2012), and HCS/SB 813 (2012).

MIKE HAMMANN

SPONSOR: Day

HANDLER: Kraus

HB 1105 - Currently the maximum age for service in the state militia is sixty-four. This act allows the Adjutant General to waive the age limit on a case-by-case basis.

This act is similar to SB 715 (2012).

MIKE HAMMANN

SPONSOR: Dugger

HANDLER: Parson

SPONSOR: Dugger

HANDLER: Parson

SS/HCS/HB 1106 - This act modifies provisions relating to public offices that have statutory bond requirements.

COUNTY COLLECTOR QUALIFICATIONS (52.010, 54.033, 54.330, 115.342)

This act establishes minimum qualifications for the offices county collector and county treasurer-collector. Except for county collectors in charter counties, a candidate for such offices must be at least 21 years of age, a resident of the state and the county in which the candidate will serve for one year prior to filing for office, and a registered voter.

Candidates for county collector and county treasurer-collector must be current in the payment of state and local taxes.

County collector-treasurers are given the sole authority to appoint their deputies and must remain in office until a successor is elected.

Once elected, collectors and collector-treasurers must reside in the county for the duration of their terms.

In addition, this act specifies that, in the event of a vacancy in the office of county collector-treasurer, the procedure for a county collector vacancy applies rather than the procedure for a county treasurer vacancy.

All candidates for public office must declare their ability to meet statutory bond requirements when filing for office.

These provisions are identical to the perfected version of SCS/SB 671 (2012).

COUNTY/CITY CONTRACTS IN JEFFERSON COUNTY (50.332 & 52.320)

This act allows Jefferson County officers to contract with municipalities in Jefferson County to perform the same type of duties for the municipality as the county officer is performing for the county. Under current law, county officers in all counties except charter counties may enter such contracts.

In addition, this act allows the Jefferson County collector to contract with cities in the county to collect municipal taxes. This section currently only applies to first class counties.

These provisions are identical to SB 815 (2012).

MEGHAN LUECKE

SPONSOR: Lauer

HCS/HB 1108 - The act requires any telecommunications or cell phone service provider to provide call location information to law enforcement if law enforcement makes such a request when responding to an emergency that involves potential death or serious injury and the call location information is needed immediately. No cause of action may be brought in any court of law against a telecommunications or cell phone service provider, or their employees or agents, for providing the information required in the act. The act does not prohibit telecommunications or cell phone service providers from developing their own protocols for voluntary disclosure of call location information.

ERIKA JAQUES

***** HB 1112 *****

SPONSOR: Gosen

HANDLER: Rupp

SCS/HB 1112 - This act amends Section 376.010 to allow life insurers licensed in Missouri to write limited amounts of non-life business outside of the United States, subject to specified limitations. Primarily, a Missouri domestic life insurance company may only write or assume such business if it is written outside of the United States. Additionally, such exposure may only be written or assumed as a rider attached to a base life insurance policy. Finally, the domestic insurance company's exposure to such business is capped based upon the insurance company's annual premium, which shall be not more than 3% of the prior year's capital and surplus (Section 376.010).

The act also permits a Missouri-domiciled insurance company to write or assume involuntary unemployment insurance in connection with group life insurance business as well as credit insurance business, but only to the extent that such business is written or assumed outside of the United States (Section 376.015). The act also "cleans-up" an insurance investment statute by inserting a number of commas in Section 376.307 which were inadvertently omitted in a bill passed in 2007 (Section 376.307).

This act is identical to SB 620 (2012).

STEPHEN WITTE

***** HB 1128 *****

SPONSOR: Largent

HANDLER: Kraus

SS/HB 1128 - This act designates March 30 of every year as "Vietnam Veterans Day" in Missouri. This provision is similar to HB 1100 (2012), HB 249 (2011), and a provision contained in HCS/HB 889 (2011).

March 26 of each year is designated "Veterans of Operation Iraq/Enduring Freedom Day". This provision is similar to HB 1099 (2012), HB 654 (2011), and a provision contained in HCS/HB 889 (2011).

This act authorizes the Adjutant General to present a Missouri National Guard Overseas Training Ribbon to members of the Missouri National Guard who have participated in training outside the United States for 10 or more cumulative days. The Adjutant General is also authorized to present a Missouri National Guard State Partnership Program Ribbon to a member of the Missouri National Guard who has participated in a state partnership program mission to a country with which Missouri has a federally recognized partnership.

The Governor, upon the recommendation of the Adjutant General, is authorized to present the Order of the Minuteman Award to a military or civilian individual who has distinguished himself or herself by exceptionally meritorious service or achievement to the state or to the Missouri National Guard. No more than one award can be presented to any person and no more than five awards can be issued in a year. In the event of the death of an individual who is entitled to the award, it may be presented to his or her next of kin.

These provisions are similar to HB 673 (2011) & to provisions contained in HCS/HB 303 (2011).

MIKE HAMMANN

***** HB 1131 *****

SPONSOR: Fisher

SPONSOR: Fisher

HB 1131 - This act requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee.

EMILY KALMER

*** HB 1135 ***

SPONSOR: Smith

HANDLER: Dixon

CCS/SCS/HB 1135 - This act modifies provisions regarding the updating and review of administrative rules. The Secretary of State is given the authority to make non-substantive changes to the Code of State Regulations to update state agency information, such as name or address changes.

This act provides that every state administrative rule shall be subject to a periodic review by the appropriate state agency every five years. The act creates a schedule for the periodic review of rules by their title in the Code of State Regulations. The Joint Committee on Administrative Rules (JCAR) shall cause notice to be published in the Missouri Register indicating the rules to be reviewed and also notice of the 60 day comment period. Each agency with rules under review shall prepare a report with the results of the periodic rule review. The report shall consider whether the rule: continues to be necessary or is obsolete; duplicates, overlaps or conflicts with other state, federal or local rules; needs changes or should be rescinded in order to reduce regulatory burdens on businesses, individuals or political subdivisions, or to eliminate unnecessary paperwork; and whether a less restrictive, more narrowly tailored rule could adequately protect the public or accomplish the same statutory purpose. For rules that affect small business, the agency must consider the specific public purpose or interest for adopting the rules and other reasons to justify its continued existence.

The subject agency must file its report with JCAR and the Small Business Regulatory Fairness Board within one year of notice being filed by JCAR in the Missouri Register. If the agency does not file the report, and does not receive an extension for good cause, then JCAR must notify the Secretary of State to publish notice in the Register as to the rules that are delinquent. The rules shall be void after the first sixty legislative days of the General Assembly's next regular session unless the agency cures the delinquency by providing the required report within 90 days after publication in the Register.

If a petition is filed with an agency requesting the adoption, amendment or rescission of a rule, the agency shall respond within 60 days with its determination as to whether a rule should be adopted, amended, or removed. Copies of the agency response shall be sent to JCAR and the Commissioner of Administration. A written petition shall constitute the required notice for purposes of current law provisions authorizing attorney fees and expenses in cases where an agency's actions were based on a statement of general applicability that should have been promulgated as a rule.

The act removes the requirement in current law that every agency with rules that affect small business must submit a list of such rules and a report to the General Assembly the and Small Business Regulatory Fairness Board every two years. This report contains the same information required in the bill as part of the periodic review of all administrative rules.

This act is similar to SS/SCS/SB 469 (2012), SB 350 (2011) and HCS/HB 697 (2011).

JIM ERTLE

*** HB 1141 ***

SPONSOR: Gatschenberger

HANDLER: Nieves

SPONSOR: Gatschenberger

HANDLER: Nieves

HB 1141 - This act modifies the laws regarding the "Don't Tread on Me" special license plate. The act requires a person applying for the plate to pay a \$15 fee in addition to the regular registration fees and to present any documents required by law. The act further specifies that no additional fee can be charged for the personalization of the special license plates. The act also specifies the detailed design of the plate by going into a painstaking description of what the Gadsden snake must look like and a description of the grass of which it sits. This provision is also contained in the truly agreed to version of HB 1807 et al (2012).

STEPHEN WITTE

***** HB 1150 *****

SPONSOR: Smith

HANDLER: Brown

SS/SCS/HCS/HB 1150 - This act modifies various provisions relating to the issuance of certificates of title for motor vehicles. The act further modifies the law governing the perfection of automobile and boat liens.

Under the terms of this act, owners of rebuilt salvage vehicles which are 10 years of age or older who submit such vehicles to examinations conducted by the Highway Patrol in order to obtain certificates of ownership with prior salvage motor vehicle designations are not required to repair or restore such vehicles to their original appearance in order to pass or complete the vehicle examination (Section 301.190). This portion of the act is contained in the truly agreed to version of SB 568 (2012) and in SB 557 (2012).

Under the terms of this act, any insurer which purchases a vehicle that is currently titled in Missouri through the claims adjustment process for which the insurer is unable to obtain a negotiable title, may make application to the department of revenue for a salvage certificate of title or junking certificate. The application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least 2 written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and a fee of \$8.50. The insurer shall, 30 days prior to making application for title, notify any owners or lienholders of record for the vehicle that the insurer intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department to verify the name and address of any owners and any lienholders. After 30 days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer. This provision is also contained in the truly agreed to version of SB 568 (2012). This portion of the act is similar to CCS/HCS/SB 668 (2012) and similar to SB 879 (2012), and HCS/HB 1875 (2012)(Section 301.193).

This act allows a scrap metal operator to purchase an inoperable motor vehicle that is at least 10 model years old without a title provided the scrap metal operator verifies with the Department of Revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien liens exist on the motor vehicle. The scrap metal operator must also forward a copy of the seller's state identification along with a bill of sale to the Department of Revenue. The bill of sale, which must be designed by the director, shall certify that the motor vehicle is at least 10 model years

SPONSOR: Smith

HANDLER: Brown

old, is inoperable, is not subject to any recorded security interest or lien, and that the seller has the legal authority to sell the vehicle. Upon receipt of this information, the Department of Revenue shall cancel any certificate of title and registration for the motor vehicle. If the motor vehicle is at least 20 model years old, then the scrap metal operator is not required to verify whether the motor vehicle is subject to any recorded security interests or liens. This portion of the act is similar to SCS/SB 633 (2012) and HB 1064 (2012)(Section 301.227).

PERFECTION OF AUTO AND BOAT LIENS - Under the terms of this act, on a refinance by a different lender of a prior loan secured by a motor vehicle, outboard motor, watercraft etc., the lien is perfected by delivering notice of lien to Director of Revenue (Section 301.600 and 306.400)(SA 1). This provision is also contained in the truly agreed to version of HB 1402 (2012).

AIRCRAFT LIENS - Currently, persons who perform labor on aircrafts and their parts and equipment who obtain a written memorandum of the work or material furnished signed by the owner, have a lien on such property. This act allows the memorandum to be signed by the authorized agent of the owner, or person in lawful possession of the property. Currently, persons who perform labor on aircrafts, at a written request of an owner that contains the maximum amount to be charged for labor, has a lien on the property. This act allows persons who perform labor on parts or equipment of aircrafts to have a lien on the item in such an instance. Currently, aircraft liens are required to be filed 30 days after surrendering the property. This act extends that time period to 180 days. These provisions are similar to the ones contained in the truly agreed to version of SB 485 (2012)(Sections 430.020 and 430.082)(SA 2).

STEPHEN WITTE

SPONSOR: Franz

HANDLER: Dixon

HCS/HB 1171 - Modifies provisions relating to courts.

Current law provides that the juvenile court shall have jurisdiction over any child up to 15 and 1/2 years of age who is involved in a state or local traffic violation. This act lowers such age so that the juvenile court would have jurisdiction over any child up to 15 years of age in such instances.

This provision is identical to a provision in CCS/HCS/SB 628 (2012) and in CCS/HCS/SB 636 (2012).

This act also authorizes Franklin County to prosecute and punish violations of its county orders in the circuit court or in a county municipal court if such creation is approved by an order of the county commission. The Franklin County commission shall appoint the first judges for a term of four years, and thereafter the judges shall be elected for a term of four years. The commission shall establish by order the number of judges to be appointed and the qualifications for their appointment.

This provision is identical to a provision in CCS/HCS/SB 628 (2012), identical to HB 1211 (2012) and similar to SB 888 (2012).

ADRIANE CROUSE

SPONSOR: Franz

HANDLER: Stouffer

SPONSOR: Franz

HANDLER: Stouffer

HB 1172 - Under current law, residential treatment agencies are prohibited from applying for residential treatment agency tax credits in an amount greater than forty percent of the payments received by the agency from the Department of Social Services. This act would allow residential treatment agencies to apply for such tax credits in an amount which does not exceed the amount of payments received by the agency from the Department of Social Services. The act also extends the sunset on the residential treatment agency tax credit from August 28, 2012, to December 31, 2015.

The act creates an income tax credit equal to fifty percent of the amount of an eligible donation made, on or after January 1, 2012, to a qualifying developmental disability care provider. Qualifying development disability care provider are care providers that provide assistance to people with developmental disabilities and are either accredited by certain organizations or under contract with the Department of Social Services or the Department of Mental Health. The tax credit may not be applied against withholding taxes. The tax credit is non-refundable, but may be carried forward four years. The tax credit is transferable. A provider may apply to the Department of Social Services for the tax credits. The provisions of this act shall automatically sunset on December 31, 2016 unless reauthorized.

This act is similar to SB 481 (2012), SB 766 (2012), provisions of SCS/SB 548 (2012), SS/SCS/HCS/HBs 1278 & 1152 (2012), SCS/HS/HB 1854 (2012), SS/SCS/HCS/HB 1865 (2012), the perfected version of SB 100 (2011), SB 608 (2010) and provisions of SB 71 (2009), and SB 1274 (2008).
EMILY KALMER

*** **HB 1179** ***

SPONSOR: Hampton

HANDLER: Mayer

HB 1179 - This act prohibits large water consumers from taking and transporting water from within the Southeast Missouri Regional Water District to locations outside the District, if such taking and transporting interferes with the normal water usage of certain other large water consumers. If such interference occurs, the Attorney General or the affected parties may seek an injunction. No injunction may be issued if it would harm public health or safety.

The act is identical to SB 63 (2011) and similar to SB 604 (2010) and SB 556 (2009).
ERIKA JAQUES

*** **HB 1188** ***

SPONSOR: Allen

HANDLER: Schmitt

HB 1188 – This act allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school. To obtain the medication, the school must obtain a prescription from a licensed physician, physician's assistant, or nurse practitioner. A school nurse or other employee trained and supervised by the nurse may use the medication on a student he or she believes to be having a life-threatening asthma episode. A trained employee will be held harmless from civil liability if the medication is administered in good faith and according to standard medical practices.
MICHAEL RUFF

*** **HB 1219** ***

SPONSOR: Elmer

HANDLER: Lager

HB 1219 - Currently, under the Missouri Human Rights Act (MHRA), a practice is unlawful when

SPONSOR: Elmer

HANDLER: Lager

the protected trait is a contributing factor in the decision to discriminate. This act changes that standard to a motivating factor standard except in adverse impact cases. In those cases, states shall follow federal anti-discrimination law.

Currently, persons acting in the interest of employers are considered employers under the MHRA and are liable for discriminatory practices. This act modifies the definition of employer to exclude those individuals. The act similarly excludes individuals employed by employers, and tax exempt private membership clubs (that are not labor organizations) from the definition.

Parties to a discrimination case under the MHRA may demand a jury trial.

The court may award the plaintiff actual and punitive damages, and court costs and attorneys fees to the prevailing party. Damages may include future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life and other nonpecuniary losses.

Damages awarded for employment cases under the MHRA and whistleblower actions shall not exceed back pay, interest on back pay, other equitable relief, court costs, and fees of \$50,000 and \$50,000 for employers with between 5 and 100 employees, \$100,000 for employers with between 100 and 200 employees, \$200,000 for employers with between 200 and 500 employees, or \$300,000 for employers with more than 500 employees. Punitive damages shall not be awarded against the state of Missouri or political subdivisions in MHRA cases except for in discriminatory housing practices cases. The damage caps shall not apply in housing cases.

The act abrogates all Missouri case law relating to the public policy exceptions to the employment at-will doctrine. Employers are barred from discharging the following persons:

- a person who reports an unlawful act of the employer or its agent to governmental or law enforcement agencies, officer, or the employee's human resources representative employed by the employer;
- a person who reports serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated pursuant to statute, or a rule created by a governmental body;
- a person who refuses to carry out a directive issued by an employer or its agent that, if completed, would be a violation of the law;
- or a person who engages in conduct otherwise protected by statute or regulation.

This act is similar to HB 1456 (2006), SB 168 (2007), SB 1046 (2008), HB 799 (2009), HB 227 (2009), SB 374 (2009), HB 1488 (2010), and SB 852 (2010), SB 188 (2011), and SB 592 (2012).

CHRIS HOGERTY

SPONSOR: Cauthorn

HANDLER: Munzlinger

HB 1231 - Currently, the Commissioner of Administration is required to give preference to certain commodities in making purchases. This act included forest products and bricks that have been processed in the state.

CHRIS HOGERTY

SPONSOR: Entlicher

HANDLER: Parson

HB 1236 - This act modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates.

The act repeals the requirement that the petition to form the new party must contain, if presidential electors are to be nominated by petition, the name of at least one qualified resident in each congressional district to be a nominee for presidential elector. Alternatively, this information will be provided when filing the respective declarations of candidacy.

This act is identical to SCS/SB 84 (2005), SB 726 (2006), SB 138 (2007), SB 797 (2008), SB 70 (2009), and SB 679 (2010).

CHRIS HOGERTY

*** **HB 1250** ***

SPONSOR: Ruzicka

HB 1250 - This act allows certain third class cities to eliminate, by ordinance or order, primary elections for mayor and councilmen offices. Any person wishing to become a candidate for these offices must file a statement of candidacy with the city clerk in order to be placed on the ballot.

In addition, this act removes the first Tuesday after the first Monday in June as a date available for public elections. Also, tax elections necessitated by a financial hardship due to a 5% or greater decline in per-pupil state revenue to a school district from the previous year may be conducted at any time.

Voters in the City of Farmington may place an ordinance on the ballot to restrict smoking in establishments and areas within the city.

This act contains provisions identical to SCS/SB 569 (2012).

MEGHAN LUECKE

*** **HB 1251** ***

SPONSOR: Ruzicka

HANDLER: Lager

SS/SCS/HB 1251 - The act modifies provisions relating to natural resources.

SECTION 29.380 - STATE AUDITOR

The act requires the State Auditor to conduct an audit of each solid waste management district in the state. The State Auditor may request reimbursement for the cost of the audit from the solid waste management district.

SECTIONS 59.319 TO 60.620 - LAND SURVEY PROGRAM

Under current law, \$1 of a \$4 fee collected by county recorders is remitted to the state for purposes of administering state land survey duties by the Department of Natural Resources. The act creates the Missouri Land Survey Fund and directs the fee revenue into this fund.

The act changes the name of the State Land Survey Authority to the Land Survey Program and updates statutory references in numerous places.

The act modifies several of the land survey duties of the Department of Natural Resources. It directs the department to provide the framework for all geodetic positioning activities in the state. Under current

SPONSOR: Ruzicka

HANDLER: Lager

law, the department's regulations for land surveyors are advisory in nature; the act removes the advisory nature of the department's regulations, making the department's regulations enforceable. It removes the department's duty to appoint a state land surveyor.

The act changes the name of the Land Survey Advisory Committee to the Land Survey Commission and increases the membership on the Commission from 5 to 7. The director of the department must serve as a member, but the act requires the Governor to appoint the other 6 members as specified. It limits members to three consecutive terms. The act adds a few additional duties to the Commission: providing recommendations on the operation of the land survey program and the selection of the state land surveyor. It also requires the Attorney General to advise the Commission upon its request and represent the Commission in legal proceedings.

The act allows revenue from sales of the department's surveying information to be deposited in the Department of Natural Resources Revolving Services Fund and expands what the Fund may be used for, which includes computer hardware and software and personnel related to retail services provided by the land survey program to the public. The act requires the Land Survey Commission to determine by December 1, 2013 the appropriate administrative charges for staff services provided by the department and the Office of Administration.

These provisions are similar to SB 814 (2012) and HCS/HB 1395 (2012).

SECTION 67.4505 - DRINKING WATER SUPPLY LAKE AUTHORITY

This act establishes a county drinking water supply lake authority in Christian County.

This section is identical to HB 1662 (2012).

SECTION 259.010 TO 259.070 - STATE OIL & GAS COUNCIL

The act modifies the composition of the State Oil and Gas Council by adding a representative of the Missouri Independent Oil and Gas Association, specifying that the University representative be from the Missouri University of Science & Technology's Petroleum Engineering program, and adding a second public member who must reside in a 3rd or 4th class county. The amendment also requires the Council to biennially review the state laws and regulations on oil and gas drilling and make any recommendations for changes. The Council may form an advisory committee to help it conduct the annual law review and make recommendations on program funding.

SECTION 260.330 - SOLID WASTE FEES

Current law requires an annual adjustment for inflation to the \$1.50 and \$1 per ton fees charged by operators of solid waste sanitary landfills, demolition landfills, and transfer stations, except no adjustment is allowed during the years 2005 through 2014. This act extends the moratorium until 2017.

This section is similar to SB 778 (2012).

SECTION 260.373 - HAZARDOUS WASTE

The act allows the Missouri Hazardous Waste Commission to promulgate rules that exceed the federal Resource Conservation and Recovery Act (RCRA) only under certain conditions, otherwise the Commission is prohibited from promulgating any state regulation that either exceeds certain requirements under RCRA or that implements a requirement before RCRA requires implementation.

SPONSOR: Ruzicka

HANDLER: Lager

By December 31, 2013, the Department of Natural Resources must identify any of its rules that are inconsistent with the act and must thereafter amend any such rule. After December 31, 2015, any inconsistent rule becomes unenforceable.

The Department may not selectively exclude any or part of any state hazardous waste regulation in certain authorization applications to the U.S. Environmental Protection Agency.

SECTION 260.392 - TRANSPORTING RADIOACTIVE WASTE

This act modifies the method by which fees for transporting radioactive waste by truck are assessed. Under current law, a fee of \$1,800 is charged for each cask transported through or within the state by truck of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. In addition, all such cask shipments are subject to a surcharge of \$25 per mile for every mile over 200 miles traveled within the state. Under this act, the fees are assessed on a per-truck basis rather than a per-cask basis.

This provision is similar to SCS/HCS/HB 1402 (2012).

SECTION 292.606 - MISSOURI EMERGENCY RESPONSE COMMISSION

Currently, fees that certain employers and business that store, use, produce, or transport petroleum and other hazardous materials pay to the Missouri Emergency Response Commission are set to sunset on August 28, 2012. This act extends that sunset to August 28, 2018.

Employers required to report hazardous substances, known as Tier II filers, may request the Commission to distribute the report to the local emergency planning committees and fire departments by paying a \$10 fee for each facility listed which shall not be applied to the employer's fee cap.

This section is identical to HCS/HB 1647 (2012) and SB 868 (2012).

SECTIONS 301.010 & 304.033 - RECREATIONAL OFF-HIGHWAY VEHICLES

This act modifies the definition of recreational off-highway vehicle (OHV) by increasing the width and weight limit of the vehicle. The width is increased from 60 inches to 64 inches and the unladen dry weight of the OHV is increased from 1,850 pounds to 2,000 pounds.

Under the act, recreational OHVs shall not be operated on highways except for:

- (1) Governmental owned and operated recreational OHVs for official use;
- (2) Recreational OHVs operated for agricultural purposes or industrial on-premise purposes;
- (3) Recreational OHVs operated within three miles of the operator's primary residence but only for the purpose of accessing property owned or leased by the operator. This exception shall not apply in cities unless such cities authorize the operation by permit;
- (4) Recreational OHVs operated occasionally by handicapped persons for short distances only on the state secondary roads;
- (5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational OHVs on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;
- (6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational OHVs on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

SPONSOR: Ruzicka

HANDLER: Lager

No person shall operate a recreational OBV. within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational OBV. on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational OBV. upon on a highway in this state: without displaying a lighted headlamp and tail lamp; without wearing a seatbelt; and any recreational OBV. must have a roll bar or roll cage.

These provisions are also contained in SCS/HCS/HB 1640 (2012).

SECTIONS 304.120 - COMMERCIAL THOROUGHFARES IN MUNICIPALITIES

Under current law, municipalities may enact ordinances that limit the use of certain designated streets to passenger vehicles. This act modifies this authorization by requiring municipalities to allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. No municipality may pass an ordinance that denies the use of commercial motor vehicles on all streets within the municipality.

These provisions are similar to SB 277 (2011).

SECTIONS 414.530 TO 414.570 - MISSOURI PROPANE EDUCATION & RESEARCH COUNCIL

Under current law, there are 3 ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these 3 ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment, requires the council to fill vacancies after a public nomination process, and allows the director to reject any appointment.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public comment period. The act instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, authorizes the council to approve or modify the budget after the public comment period, and allows the director to reject the council's budget or modifications.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

SPONSOR: Ruzicka

HANDLER: Lager

These sections are identical to SB 297 (2009) and HB 751 (2009).

SECTION 577.073 - COMMERCIAL ACTIVITIES IN STATE PARKS

Current law prohibits any person from conducting commercial activities within a state park except with written permission or if under a concession contract. This act creates an exception for organizations that use public roads to transport people, vehicles, or canoes.

SECTION 621.250 - ADMINISTRATIVE HEARING COMMISSION

Under current law, the Administrative Hearing Commission (AHC) must make a recommended decision within 60 days of the filing date of an appeal of a decision made by an environmental commission. The act modifies this timeframe by giving the AHC up to 90 days to hold hearings and up to 120 days to make a recommended decision. The act allows these timeframes to be further extended at the request of the permittee.

Under current law, an environmental commission must issue its final decision with regard to an appeal that went to the AHC within 90 days of the date the appeal was filed. The act extends this timeframe to 180 days and allows the timeframe to be further extended at the request of the permittee.

This section is similar to SB 645 (2012).

SECTION 640.018 - ENVIRONMENTAL PERMIT ISSUANCE TIMEFRAMES

Currently, if state law requires the Department of Natural Resources to issue an environmental permit within a certain timeframe and the department fails to do so, it must issue the permit on the first day following the expiration of the timeframe. The act modifies this provision so that the requirement to automatically issue the permit only applies at the request of the permit applicant.

This section is similar to SB 645 (2012).

SECTION 640.100 - PUBLIC DRINKING WATER FEES

Under current law, the authority expires on September 1, 2012, for the Department of Natural Resources to impose an annual per customer fee for connections to a public water system. This act extends the expiration date to September 1, 2017.

This section is identical to SB 889 (2012).

SECTION 643.130 - JUDICIAL REVIEW OF AIR PERMITS

Current law requires any actions filed in a court of law seeking judicial review of final decisions made by the Air Conservation Commission to be made in the court of appeals rather than in the circuit court. The act limits this requirement to only actions seeking judicial review of decisions relating to certain types of operating or construction permits, including Part 70, prevention of significant deterioration, major nonattainment area source, or major new source review; otherwise the action is filed in circuit court.

This section is similar to SB 645 (2012).

SECTION 643.225 - ASBESTOS

The act provides an exemption to certain asbestos-related state requirements for businesses that regularly engage in asbestos abatement at their locations and that are subject to federal laws relating to construction

SPONSOR: Ruzicka

HANDLER: Lager

work and asbestos. The exemption applies to state requirements for: certification of certain individuals for asbestos-related work, accreditation for asbestos-related training programs, registration as an asbestos abatement contractor, and notification of the Department of Natural Resources for certain-sized asbestos abatement projects. Certain entities are not eligible for the exemption.

To receive the exemption, businesses must submit to the Department of Natural Resources information about their asbestos-related employee training programs and their asbestos abatement projects. If the Department determines that the entity does not qualify for the exemption, it may deny the exemption but must notify the entity of the denial within a 180-day timeframe. Entities whose exemptions are denied may appeal. Exempted entities must submit a one-time fee of \$250 for the exemption and must submit documentation of any significant changes as they occur over time in their asbestos-related training programs. Entities that receive an exemption before August 28, 2012, are exempt from the fee.

The act allows staff of the Department of Natural Resources to attend, without prior notice, any asbestos-related training programs of exempted entities.

This section is identical to SB 898 (2012).

SECTION 644.016 TO 644.051 - WATER POLLUTION CONTROL

The act adds a definition for "general permit template", which is a draft general permit that is developed with public participation.

The act requires that certain persons who participated in the public participation process for the promulgation of rules by the Clean Water Commission must also be able to provide additional comments or response at the Commission's meeting at which the proposed rule receives a vote to become final.

Current law provides requirements for the solicitation of input from permit holders and potential permit applicants when the Clean Water Commission is developing or renewing a general permit or a permit by rule for an aquaculture facility. The act removes these public input requirements. The act also removes a provision that provides that aquaculture facilities only need a general permit unless the applicant requests a site-specific permit.

Current law requires applications for renewal of an operating permit to be filed at least 180 days before the currently valid operating permit expires. The act makes the 180-day requirement applicable only to site-specific operating permits and reduces the renewal filing time requirement to 30 days in advance of the expiration date for renewals of general permits. The act allows general permits to be acquired electronically once available by the Department.

The act adds time frames for department review and issuance of general permits. When there is no public participation required, the department must issue or deny an initial general permit within 60 days of receipt of the application and must issue or deny a renewal general permit within 60 days of the later of receipt of the application or the finalization of a new general permit shell. When public participation is required, the department's review time frame is increased to 90 days.

Beginning January 1, 2013, the Department of Natural Resources must comply with certain public participation requirements when issuing a new general permit or when reissuing a general permit for aquaculture, land disturbance, or for general permits under which 50 or more permits were issued during

SPONSOR: Ruzicka

HANDLER: Lager

the preceding 5-year period. The act includes requirements for public notice, time frames for holding a public meeting and accepting public comments, and electronic notification of current permittees of the general permit that is being modified.

SECTION 644.071 - JUDICIAL REVIEW OF WATER PERMITS

Current law requires any actions filed in a court of law seeking judicial review of final decisions made by the Clean Water Commission to be made in the court of appeals rather than in the circuit court. The act limits this requirement to only actions seeking judicial review of decisions relating to water pollution control permits for utilities; otherwise the action shall be filed in circuit court.

This section is similar to SB 645 (2012).

SECTION 644.145 - AFFORDABILITY FINDINGS

Current law requires the Department to make a finding of affordability when issuing or enforcing water pollution control permits for combined or separate sanitary sewer systems or publicly owned treatment works. The act requires the affordability finding to also be made for stormwater sewer systems. The department does not have to conduct affordability findings for collection system extension permits, operating permit renewals with no new environmental requirements, or when the permit applicant certifies that the permit requirements are affordable or otherwise waives the affordability requirement. Communities with less than 3,300 residents may not certify affordability or waive the affordability finding.

The act gives the permit applicant the opportunity to review the department's affordability finding and suggest changes. Reasonable time spent on the affordability finding shall be considered in addition to the department's required permit review time frames.

These sections are similar to SB 889 (2012).

SECTION 650.230 - PRESSURE VESSELS

Current law exempts certain-sized pressure vessels from regulation. The act modifies these exemptions.

SECTION 701.550 - ANEMOMETER TOWERS

The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given until January 1, 2014, to comply with the act's requirements. A violation of the act is a Class B misdemeanor.

This section is identical to SS/SB 769 (2012).

SECTION 260.255 - NEWSPAPER PUBLISHERS

The act repeals section 260.255 which requires certain newspaper publishers to file a statement with the Department of Natural Resources declaring whether or not they have complied with recycled paper content percentage requirements.

SPONSOR: Ruzicka

HANDLER: Lager

This section is identical to SB 889 (2012).

The act includes an emergency clause for section 577.073, relating to commercial activities in state parks.

ERIKA JAQUES

***** HB 1280 *****

SPONSOR: Korman

HANDLER: Wasson

SS/SCS/HCS/HB 1280 - This act authorizes the establishment of a peer review process for architects, landscape architects, professional land surveyors, and professional engineers.

This act only applies to licensed architects, landscape architects, professional land surveyors, and professional engineers reviewing the type of documents that such a license would be required to draft.

Third-party peer reviewers are granted immunity from civil liability for their actions if they are reasonably related to the peer review process, in good faith, and without malice. The peer review must be performed before substantial completion of the project to create immunity.

This act modifies rules of evidence as they apply to lessons learned performed after substantial completion and solely in house. Documents created during such a lessons learned process will be privileged, not subject to discovery, and inadmissible in any judicial or administrative action. A person who participated in such a lessons learned process shall not be permitted or required to disclose information they learned from the process.

This act does not limit the authority of the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to obtain information from a peer reviewer. The provisions granting immunity to third-party peer reviewers will expire on January 1, 2023. Immunity granted to a person performing a peer review prior to that date will continue to be immune. The evidence rules modified by this act for lessons learned performed prior to that date will continue to have such rules apply to them.

This act is similar to SB 667 (2012) and SB 326 (2011).

MIKE HAMMANN

***** HB 1308 *****

SPONSOR: Wells

HCS/HB 1308 - Currently, irrevocable standby letters of credit issued by a federal home loan bank possessing the highest credit rating by at least one nationally recognized rating agency are listed as acceptable collateral for public deposits. This act removes the reference to credit ratings.

This act is similar to CCS/HCS/SCS/SB 635 (2012).

CHRIS HOGERTY

***** HB 1315 *****

SPONSOR: McCaherty

HANDLER: McKenna

SPONSOR: McCaherty

HANDLER: McKenna

HB 1315 - This act specifies that state employees who are or may become members of the United States Coast Guard Auxiliary may be granted a leave of absence while they are performing United States Coast Guard or United States Coast Guard Auxiliary duties. Employees on leave will not lose pay, time or regular leave. They also will not receive impairment of efficiency ratings or any other rights or benefits to which they are otherwise entitled. If the employee's appropriate Coast Guard authority requests the employee be released for service, it must be granted. Leave granted is not to exceed 15 working days in any fiscal year unless the employee is responding to a state or national emergency in Missouri or on a navigable waterway adjacent to the state. Before any salary is paid for the leave period, the employee must file with the appointing authority or supervisory agency evidence of his or her emergency participation.

Employees of both public and private employers cannot be discharged from employment or otherwise discriminated against due to being a member or their service in the United States Coast Guard Auxiliary.

This act requires employers with 50 or more employees to grant a leave of absence to employees who are or may become members of the United States Coast Guard Auxiliary and performing duties associated therewith. Such employees on leave will not lose time, regular leave, or any other rights or benefits to which the employee is otherwise entitled. The leave cannot be for more than 15 working days in any calendar year unless the employee is responding to a state or national emergency in Missouri or on a navigable waterway adjacent to the state. The employer is not required to pay a salary to the employee during this leave of absence. Employers have the right to request that an employee be exempted from responding to a specific mission, which must be honored.

The Attorney General is required to enforce this act.

MIKE HAMMANN

SPONSOR: Riddle

HANDLER: Kehoe

SS/HB 1318 - This act modifies provisions relating to mental health facilities and social security numbers used to identify employees.

USE OF EMPLOYEE'S SOCIAL SECURITY NUMBER AS AN EMPLOYEE NUMBER (Section 407.1355)

Currently, no person or entity shall require an individual to use his or her Social Security number as an employee number. This act prohibits employers from using the last four digits of the employee's Social Security number as an employee number.

This provision is identical to SB 911 (2012).

DEPARTMENT OF CORRECTIONS MENTAL HEALTH PILOT PROGRAM (Section 559.117)

This act allows the Department of Corrections to establish a three-year pilot program in which judges in participating counties may send a criminal offender, upon a motion by a prosecutor, to the Department of Corrections for 120 days for mental health assessment and treatment. The victim must be given notice and an opportunity to be heard before the judge rules on the motion.

At the end of the 120 days, the department must send an assessment report to the sentencing court, which may release the offender on probation. The state probation and parole officer for the offender must

SPONSOR: Riddle

HANDLER: Kehoe

work with the Department of Mental Health to enroll eligible offenders into Community Psychiatric Rehabilitation programs.

Offenders are not eligible for the pilot program who have been found guilty of, or plead guilty to, second-degree murder, forcible or first-degree statutory rape, forcible or first-degree statutory sodomy, first degree child molestation that is classified as a Class A felony, or any other offense that does not allow probation or parole. Those found to be predatory sexual offenders are also ineligible.

The directors of the Departments of Corrections and Mental Health are to report to the Governor and the General Assembly by December 31, 2015 on whether the program should be statewide.

These provisions are identical to SB 518 (2012) and HB 1456 (2012).

DEPARTMENT OF MENTAL HEALTH EMPLOYMENT DISQUALIFICATION REGISTRY (Section 630.170)

This act modifies provisions relating to the Department of Mental Health Employment Disqualification Registry (EDR).

This act provides uniformity to all of the provisions relating to the EDR by specifying that such provisions apply to the following mental health facilities: any public or private facility, day program, residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status or funded by the Department of Mental Health by or to any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained.

Current law requires the person disqualified from employment under the EDR to seek an exception to the disqualification through a written request to the director of the department no more than once every twelve months. This act changes the time line to no more than once every six months.

Any person placed on the EDR prior to August 28, 2012, may be removed from the registry by the director or designee if the in the judgment of the director or designee a clear showing has been made, by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident, or client of a facility, program, or service.

Current law requires an applicant for a direct care position in any of the named mental health facilities to sign certain consent forms for a criminal record review and to disclose previous employment disqualifications. This act no longer restricts the requirement to just direct care positions.

Mental health facilities or mental health programs in which people are admitted on a voluntary basis or are civilly detained are included amongst the list of other Department of Mental Health facilities who are required to request a criminal background check and to check the employee disqualification registries from the Department of Mental Health, Department of Health and Senior Services and Department of Social Services for new employees who will have contact with clients, residents or patients. Any of these facilities that decline to employ or discharge a person who is disqualified under the provisions of this act shall be immune from suit by that person for the failure to employ or for the discharge of the person due to disqualification.

SPONSOR: Riddle

HANDLER: Kehoe

A provider is guilty of a Class A misdemeanor if the provider hires a person to hold any position knowing that such person has been disqualified under the provisions of this act.

Any employer who is required to discharge an employee because the employee was placed on the EDR after the date of hire shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge.

Under current law, the Department of Mental Health is allowed to maintain the EDR. This act requires the department to do so. This act specifies the procedures for appealing a decision to have an employee placed on the EDR as well as delineating how the department determines the length of time the person's name shall appear on the EDR.

The department shall provide the EDR to other state and federal agencies upon request. The department may also provide the EDR to any of the mental health facilities falling under this act. The department may also provide the EDR to a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations are included in the EDR.

This act is identical to a provision in SB 718 (2012).

MAXIMUM AND INTERMEDIATE SECURITY MENTAL HEALTH FACILITIES (Section 630.945)

This act provides that beginning July 1, 2013, no state employee, regardless of job classification, who is working in a maximum or intermediate security mental health facility or any portion of a mental health facility which has maximum or intermediate security shall be mandated to work more than twelve hours in any 24 hour period unless the Department of Mental Health declares an emergency workforce shortage.

NOTICE REGARDING THE RELEASE OF SEXUALLY VIOLENT PREDATORS (Section 632.501)

Under current law, if the Director of the Department of Mental Health determines that the sexually violent predator who has been committed to a facility determines that the person is not likely to engage in predatory acts if released, the director shall authorize the person to petition the court for release and such petition shall be served upon the court, the director, the director of the facility housing the person, and the Attorney General. This amendment provides that the petition shall also be served upon the prosecutor of the jurisdiction into which the committed person is to be released.

ADRIANE CROUSE

SPONSOR: Black

HANDLER: Rupp

SCS/HCS#2/HB 1323 - This act modifies provisions relating to child care services and establishes "Sam Pratt's Law".

LOW-WAGE TRAP ELIMINATION ACT

This act, to be known as the "Low-Wage Trap Elimination Act", requires the Children's Division within the Department of Social Services, subject to appropriations, to implement a child care subsidy benefit pilot program in at least one rural county and in at least one urban child care center that serves at least 300 families by January 1, 2013, to be known as the "Hand-Up Program".

The Program will be voluntary, and shall be designed such that a participating recipient will not be

SPONSOR: Black

HANDLER: Rupp

faced with a sudden loss of full child care benefits should the recipient's income rise above the maximum allowable monthly income for persons to full receive child care benefits. The recipient shall be permitted to continue to receive such benefits if the recipient pays a premium to be applied only to that portion of the recipient's income above such maximum allowable monthly income for the receipt of child care benefits.

The premium shall be 44 percent of the recipient's excess adjusted gross income over the maximum allowable monthly income for the applicable family size for the receipt of child care benefits. The premium shall be paid on a monthly basis by the participating recipient. The Division shall develop a payroll deduction program in conjunction with the Department of Revenue, and shall promulgate rules for the payment of premiums owed under the Hand-Up Program. Participating recipients who fail to pay the premium owed shall be removed permanently from the Program after 60 days of non-payment. Participating recipients may be eligible to receive child care service benefits at income levels all the way up to the level at which a person's premium equals the value of the child care service benefits received by the recipient.

Only those recipients who currently receive child care benefits as of joining the Program and who had been receiving child care service benefits continuously on or before August 28, 2012, shall be eligible to participate in the Program. Only those recipients who agree to the terms of the Hand-Up Program during a 90 day sign-up period shall be allowed to participate in the Program. A participating recipient shall be allowed to opt out of the Program at any time, but such person shall not be allowed to participate in the program a second time.

The "Hand-Up Program Premium Fund", is created and shall consist of premiums collected under this act. All premiums received under the Program shall be deposited in the fund out of which the cost of administering the hand-up program shall be paid, as well as the necessary payments to the federal government, if required by federal law, and to the state general revenue fund. Child care benefits provided under the Hand-Up Program shall continue to be paid for as under the existing state child care assistance program.

This act contains a three-year sunset provision.

This provision is identical to the perfected version of SB 727 (2012).

HOTLINE CALLS AND INVESTIGATIONS

In a case involving the death or serious injury of a child after a report has been made, the Children's Division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the circuit manager or case worker or workers to perform their duties competently is necessary. Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death. SECTION 210.135

The Children's Division is also required to review a case when three or more calls regarding the same child are made to the hotline within a 72-hour time period to determine if the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. The review shall include contacting the hotline caller or callers to collect information if the calls meet the criteria for harassment. A hotline worker is required to instruct an individual making a hotline call to call 911 when a child may be in immediate danger. SECTION 210.145.4 and 6

SPONSOR: Black

HANDLER: Rupp

These provisions are identical to the perfected version of SB 758 (2012).

HOME VISITS BY CHILDREN'S DIVISION WORKERS

Division workers responding to a child abuse and neglect investigation are prohibited from calling prior to a home visit or leaving a business card, pamphlet, or other similar identifying information at a residence if the worker has a reasonable basis to believe (1) no person is present at the time of home visit and the alleged perpetrator resides in the home or the child's safety may be compromised if the alleged perpetrator becomes aware of the visit; (2) the alleged perpetrator becomes aware of the attempted visit; or (3) the family has a history of domestic violence or fleeing the community.

If the alleged perpetrator is present during the visit, a division worker responding to or investigating a child abuse and neglect report shall provide written material to the alleged perpetrator informing the person of his or her rights regarding the visit, including the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time, not to exceed five minutes, to read the material or have the material read to him or her before the visit commences. This requirement shall not apply in a case where the child faces an immediate threat or danger or if the person responding to or investigating a report feels threatened or in danger or physical harm. SECTION 210.145.6

These provisions are identical to the perfected version of SB 758 (2012).

CHILD CARE PROVIDERS

Any child-care facility not exempt from licensure shall disclose the licensure status of the facility to the parents or guardians of children for which the facility provides care. No child care facility exempt from licensure shall represent to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed. SECTION 210.211

This act increases the penalty for violations of child care licensure provisions to include a fine of up to two hundred dollars per day, not to exceed a total of ten thousand dollars for subsequent offenses. SECTION 210.245

These provisions are substantially similar to the perfected version of SB 448 (2012).

SAM PRATT'S LAW

This act provides that in any case involving abuse, neglect, or death of a child, any court of competent jurisdiction may impose as a condition of release of a defendant that such defendant be prohibited from providing child care services for compensation pending final disposition of the case. The court shall notify the department of health and senior services and the department of social services when it makes such a determination, as well as the final disposition of the case. SECTION 544.456

These provisions are substantially similar to the perfected version of SB 448 (2012).

ADRIANE CROUSE

SPONSOR: Silvey

HANDLER: Kehoe

SS/HCS/HB 1329 - This act modifies the law regulating motor vehicles.

TEMPORARY PERMIT TAGS - This act modifies the process for issuing temporary permits to motor

SPONSOR: Silvey

HANDLER: Kehoe

vehicle owners. Under the terms of the act, the director of revenue is authorized to allow others to produce weather resistant, nontearing temporary permits that allow buyers of motor vehicle or trailers to operate such vehicles for a 30 day period. The temporary permit may be purchased by the motor vehicle buyer from the central office or from an authorized agent of the department. A motor vehicle buyer may also purchase a temporary permit from a motor vehicle dealer. The price paid by a registered dealer for a temporary permit shall not exceed \$5.00 per permit (current law sets the amount at \$7.50). The director shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer.

Under the act, amounts received by the director for temporary permits shall constitute state revenue while amounts received by an authorized producer shall not constitute state revenue. Amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from an authorized producer shall not constitute state revenue. The act specifically provides that general revenue funds or other state funds shall not be used to compensate motor vehicle dealers and other producers for their role in producing temporary permits. Dealers may not charge more than \$5.00 for each permit it issues (down from \$7.50). Under the act, each temporary permit issued shall be fastened to the rear of the motor vehicle in a manner and place on the motor vehicle consistent with placement of regular registration plates.

The act allows the director to reissue and extend the use of a temporary permit during the time period a title and registration are being obtained. Under the terms of the act, upon the issuance of a temporary permit, the director shall make the temporary permit information immediately available to the law enforcement community of the state of Missouri. This portion of the act shall become effective on the date the Department of Revenue or a producer authorized by the director of the Department of Revenue begins producing temporary permits described in subsection 4 of such section, or on July 1, 2013, whichever occurs first (Section C). The temporary permit provisions (subsections 4, 5, and 6 of section 301.140) shall expire on July 1, 2019 (Section 301.140). This provision is also contained in the truly agreed to versions of SB 470, SB 568, and SB 611 (2012).

SALES TAX ON OUT-OF STATE MOTOR VEHICLE PURCHASES - This act provides that local sales tax shall be imposed on the sale of all motor vehicles, trailers, boats and outboard motors, within the boundaries of the state or outside the boundaries of the state, if they are required to be registered with the director of revenue. The act provides that all sales within and outside the state of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at purchaser's residence. The act further provides that the option to impose a local use tax shall not be effective on sales of any motor vehicle, trailer, boat, or outboard motor purchased outside the state as such purchases are deemed to be consummated at the residence of the purchaser pursuant to Section 32.087.12(2) and are therefore subject to local sales taxes. The act specifically abrogates the Missouri Supreme Court's holding in *Craig A. Street V. Director of Revenue* to the extent that local sales taxes are inapplicable to out-of-state purchases of motor vehicles, trailers, etc. (Sections 32.087, 144.069, 144.072, 144.757, and Section B). These provisions are subject to an emergency clause.

STEPHEN WITTE

SPONSOR: Dugger

HANDLER: Wasson

HCS/HB 1340 - This act allows a county commission to appoint an interim county official to the offices of county clerk, auditor, or assessor when a vacancy occurs. The interim appointee serves until the governor appoints a successor.

SPONSOR: Dugger

HANDLER: Wasson

MEGHAN LUECKE

SPONSOR: Richardson

HANDLER: Wasson

SS/SCS/HCS/HB 1400 - This act modifies provisions relating to financial transactions and contains an emergency clause.

POLITICAL SUBDIVISIONS' DEPOSIT ACCOUNTS (Section 67.085)

Currently, political subdivisions and public entities can invest funds not immediately needed in certificates of deposit. The act allows such entities to invest the funds in any deposit account. Current law also provides that the financial institution receive the same amount of deposits from customers of other financial institutions at the same time the public funds are deposited and the certificates of deposit are issued. This act requires the financial institution to receive the same amount of deposits on the same date the public funds are deposit. This section is similar to SB 813 (2012) and to a provision contained in HCS/SCS/SB 726 (2012).

DIVISION OF FINANCE EXAMINATIONS

The Division of Finance is required to establish an internal policy to ensure the professional conduct of Division employees who participate in examinations or who make determinations about the operations of persons or entities under the Division's jurisdiction. The policy shall include procedures to mitigate conflicts of interest.

SECTIONS 361.070

The act allows disclosure of facts and information obtained in the course of the Division's examinations and investigations when undergoing a state audit when the Director of Finance has entered an agreement of confidentiality with the State Auditor. Such agreement shall provide for the redaction of certain information including nonpublic personal or proprietary commercial and financial information, trade secrets, information that could prejudice the performance or security of the Division, information protected under any recognized privilege, and identifying bank information.

SECTION 361.080

These provisions are similar to SB 890 (2012) and are contained in SS/SCS/HB 1051 (2012).

PERFECTION OF SECURITY INTERESTS (Section 400.9-311)

Currently, security interests in property subject to certain federal or state filing requirements can only be perfected by following such requirements. There is an exception for property held as inventory by a person in the business of selling or leasing goods of that kind. This act removes persons in the business of leasing goods of that kind from the exception. This section is similar to HB 1153 (2012) and to provisions contained in HCS/HB 1256 (2012), HCS/SCS/SB 485 (2012), CCS/HCS/SCS/SB 635 (2012), HCS/SB 636 & HCS/SCS/SB 726 (2012).

RESIDENTIAL REAL ESTATE LOANS (Section 408.052)

Currently, mortgage loan brokers are prohibited from charging point or fees on residential real estate loans. This act creates an exception for mortgage loan brokers making loans on manufactured homes or modular units. This section is similar to HB 1309 (2012) and SB 726 (2012).

MIKE HAMMANN

SPONSOR: Burlison

HANDLER: Stouffer

CCS/SS/SCS/HCS/HB 1402 - This act modifies various provisions relating to the regulation of transportation.

HOUSEHOLD GOODS MOVERS - This act modifies provisions relating to the regulation of household goods movers. These provisions are similar to the ones contained in the truly agreed to version of SB 470 (2012), the truly agreed to version of CCS/SS/SCS/HCS/HB 430 (2011) and in SB 58 (2011).

Under the terms of this act, household goods movers will no longer have to file their schedule of rates, fares and charges with the state highways and transportation commission. A household goods mover must maintain and publish its schedules of rates, fares, rules, and charges in its stations and offices. Such rates shall be available for inspection by the commission, shippers, and the public (Sections 387.040 and 387.050).

This act prohibits household goods movers from participating in joint tariffs. The act allows joint tariffs relating to the transportation of household goods over through routes or in interline service involving two or more separate motor carriers. Carriers of household goods participating in through routes or interline service shall publish joint tariffs or individual tariffs for each participating carrier (no longer have to file joint tariffs with the commission). In addition, household goods movers will no longer be required to file sworn copies of every contract with other motor carriers with the commission (Sections 387.080 and 390.116).

Under current law, household goods carriers are prohibited from using schedules of rates that divide the state into territorial rate areas. This act removes this restriction (Section 387.110).

Under the terms of this act, the commission no longer has the authority to fix rates with reference to the transportation of household goods. Rates published by household goods movers are presumed to prima facie lawful (Section 387.207).

Under this act, all rate orders issued by the commission affecting the transportation of household goods, to the extent such rate orders prescribe any minimum or maximum rates for the transportation of such goods, shall be vacated. Other provisions contained in the rate orders unrelated to prescribing maximum or minimum rates shall not be vacated (Section 387.355).

The act eliminates the requirement that household goods carriers or non charter passenger carriers demonstrate that their proposed service will serve a useful present or future public purpose when applying for a certificate of authority or permit. Concomitantly, applicants for household goods or passenger certificates or permits will not have to satisfy the public convenience and necessity test when proposing a new service, an extension of existing service, or a transfer of authority. An applicant for a household goods or passenger certificate of authority or permit will have to show that they are fit, willing, and able to perform the service, and that they will conform to other standards established by law.

Under this act, the commission shall not restrict any certificate or permit authorizing the transportation of household goods or passengers with reference to any route or routes (Sections 390.051 and 390.061).

Under this act, any geographic restriction or provision limiting a household goods carrier's scope of authority to particular routes within this state contained in a certificate or permit, or both, which was issued prior to August 28, 2012, and any similar provision contained in a carrier's tariff schedule filed prior to such date, shall be deemed void. In lieu of the geographic restrictions expressed in such certificates, permits, or tariff schedules, a motor carrier shall be authorized to provide intrastate

SPONSOR: Burlison

HANDLER: Stouffer

transportation of household goods between all points and destinations within the state until such time the certificates, permits, and tariff schedules are reissued or amended to reflect the motor carrier's statewide operating authority (Section 390.280).

Beginning August 28, 2012, no certificate of authority or permit shall be issued or renewed unless the applicant demonstrates that the applicant has workers' compensation insurance coverage that complies with Missouri law for all its employees. If any household goods carrier is found by the division of workers' compensation to be out of compliance with the workers' compensation law, the division shall report such fact to the state Highways and Transportation Commission. The commission shall suspend the household goods carrier's certificate or permit until such time the carrier demonstrates that it has procured workers' compensation insurance coverage (Section 390.054).

This act requires the commission to establish consumer protection requirements for motor carriers transporting household goods in intrastate commerce (Section 387.137).

This act requires the Division of Motor Carriers to develop a complaint process. The complaint process shall keep a record for each complaint and shall record findings made at each step of the complaint process, provide an explanation for a complaint dismissal, and provide other information (Section 387.139).

Under this act, the state highways and transportation commission is authorized to enter into interagency agreements with the Regional Taxicab Commission to deal with any public safety issues that may arise as a result of the act's deregulation provisions (Sections 390.051 and 390.061).

USE OF MUNICIPAL STREETS -USE OF MUNICIPAL STREETS - Under current law, municipalities may enact ordinances that limit the use of certain designated streets to passenger vehicles. This act modifies this authorization by requiring municipalities to allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. No municipality may pass an ordinance that denies the use of commercial motor vehicles on all routes within the municipality. This provision may be found in the truly agreed to version of SB 480 (2012) and SB 656 (2012) (Section 304.120).

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT - This act modifies the Senate membership of the Joint Committee on Transportation Oversight so that Senate membership shall be composed, as nearly as may be, of majority and minority party members in the same proportion as the number of majority and minority party members in the Senate bears to the total membership of the Senate. The act also requires the annual MoDOT report to be submitted no later than December 31st of each year (rather than November 10th) and requires the hearing on the report to be held no later than February 15th of each year (rather than December 1st). The act eliminates the requirement that the report be submitted to every member of the Senate and the House of Representatives (written copies only to Governor and Lt. Governor). Instead, the report shall be accessible via the Internet (Section 21.795).

BI-STATE FARE EVASION - This act requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities and conveyances to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency. This provision may also be found in the truly agreed to version of SB 480 (2012), SB 508 (2012), HB 1454 (2012), SB 347 (2011) and the truly agreed to version of HB 430 (2011) (Section 70.441).

SPONSOR: Burlison

HANDLER: Stouffer

FAILURE TO APPEAR IN COURT- Under current law, if a person fails to timely dispose of a traffic ticket, the court will notify the director of revenue of such fact and the director will suspend the offender's driver's license until the person settles the matter by paying the fines and applicable court costs. Upon proof of disposition of the charges, and payment of a reinstatement fee, the director will return the license and remove the suspension from the person's driver's record. This act modifies this provision so that a commercial motor vehicle operator or a holder of a commercial driver's license will not be eligible to have such a suspension removed from his or her driving record (Section 302.341). This provision may be found in the truly agreed to versions of SB 470, SB 480, and SB 568 (2012). This provision is also contained in the perfected version of SB 443 (2012) and the truly agreed to version of HB 430 (2011) and HCS/HB 818 (2011).

UNIFORM COMMERCIAL DRIVER'S LICENSE ACT - This act adds new definitions to Uniform Commercial Driver's License Act (sections 302.700 to 302.780) and makes modifications to current definitions relating to commercial driver license requirements to comply with Federal Motor Carrier Safety regulations and support the implementation of the federal rule labeled "Medical Certification Requirements as part of the CDL". The act revises the definition section by adding the following terms:

- 1) CDLIS driver record;
- 2) CDLIS motor vehicle record;
- 3) Commercial driver's license downgrade;
- 4) Driver applicant;
- 5) Employee;
- 6) Endorsement;
- 7) Foreign;
- 8) Medical examiner;
- 9) Medical variance (section 302.700).

CDL MEDICAL CERTIFICATION COMPLIANCE - This act implements a Federal Motor Carrier Safety Regulation known as "Medical Certification Requirements as part of the CDL". This act requires commercial driver license applicants to complete certain self certifications and submit required medical examiner certification documents when applicable. The act specifies the certification process.

Applicants certifying to the operation in nonexcepted interstate or nonexcepted intrastate commerce must provide the state with an original or copy of a current medical examiners certificate. The state is required to maintained such documents for a period of 3 years beyond the date the certificate was issued. The act requires applicants to provide updated medical certificates or variance documents in order to maintain commercial motor vehicle driving privileges. The director must post the medical examiners certificate information to the driver record within 10 calendar days of receipt and the information will become part of the CDLIS driver record. Under the act, any person who falsifies any information in an application for or an update of medical certification status information shall not be licensed to operate a commercial vehicle or the person's commercial driver's license must be canceled for a period of one year after the director discovers the falsification.

The CDL medical certification compliance sections (sections 302.700 and 302.768) shall become effective on the date the director begins accepting commercial driver license medical certifications or on May 1, 2013, whichever occurs first.

The CDL provisions may also be found in the truly agreed to versions of SB 470, SB 480, and SB 568

SPONSOR: Burlison

HANDLER: Stouffer

(2012). The provisions are also contained in SB 443 (2012) and the truly agreed to version of HB 430 (2011).

NONRESIDENT VIOLATOR COMPACT - This act modifies the Nonresident Violator Compact. Under current law, the Department is prohibited from processing an out of-state failure to appear/pay violation if the notice is received more than six months after the citation was issued. This proposal will allow the Department to process an out-of-state failure to appear/pay notice, for an individual who was operating a commercial motor vehicle or was a CDL holder at the time of the offense, if the notice is received more than six months after the citation is issued (Section 544.046).

DYED FUEL - Current law prohibits the operation of a motor vehicle with dyed fuel on a public highway except in certain circumstances. This act creates an additional exception for vehicles associated with a public utility or rural electric cooperative engaged in the restoration of utility service during a state of emergency (Section 142.932). This provision is contained in the truly agreed to version of SB 470 (2012) and SB 701 (2012).

SALES TAX EXEMPTION FOR MOTOR CARRIERS - This act provides a sales tax exemption for motor vehicles registered in excess of 54,000 pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight. The sales tax exemption also extends to the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles (section 144.030). This provision may also be found in the truly agreed to version of SB 480 (2012) and SB 430 (2012).

RECREATIONAL OFF-HIGHWAY VEHICLES - This act modifies the definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2000 pounds (Section 301.010).

Under the act, recreational off-highway vehicles shall not be operated on highways except for:

- (1) Governmental owned and operated recreational off-highway vehicles for official use;
- (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premise purposes;
- (3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. This exception shall not authorize the operation in a municipality unless the municipality authorizes the operation by permit;
- (4) Recreational off-highway vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads;
- (5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;

SPONSOR: Burlison

HANDLER: Stouffer

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

No person shall operate a recreational off-highway vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational off-highway vehicle on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover. The recreational off-highway vehicle provisions may be found in the truly agreed to versions of SB 480 (2012) and HB 1807 (2012). The recreational off-highway vehicle provisions had their genesis in SB 714 (2012) (Section 304.033).

STAGGERING OF DEALER LICENSES -DEALER BIENNIAL REGISTRATIONS - This act authorizes the director to issue a dealer's license valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload. This provision is similar to the one contained in the truly agreed to version of HB 430 (2011) (Section 301.559).

WHO MAY ACCOMPANY TEMPORARY INSTRUCTION PERMIT HOLDERS - This act expands the list of qualified persons who may accompany a temporary instruction permit holder who is under 16 years of age. Under current law, a temporary instruction permit holder may only drive a motor vehicle when accompanied by a grandparent, parent, legal guardian, or a qualified driving instructor. This act expands the list of qualified drivers to include persons who are at least 25 years age, have been licensed for a minimum of three years and have received written permission from the parent or legal guardian to escort or accompany the driver. This provision may be found in SB 648 (2012) (Section 302.130).

ADMINISTRATIVE HEARINGS AT REGIONAL LOCATIONS - This act amends section 302.530 so that an administrative hearing to revoke or suspend a person's license for an excessive blood alcohol content violation may be conducted at a regional location designated by the director rather than the county where the arrest was made. This provision may be found in SB 254 (2011) (Section 302.530).

KANSAS CITY COMMERCIAL ZONE - This act expands the Kansas City commercial zone by including the stretch of State Route 45 from its intersection with Interstate 29 to the city limits of Iatan. This provision is also contained in the truly agreed to versions of SB 470 and SB 568 (2012). The provision may also be found in SCS/SB 656 (2012) (Section 304.190).

BOATING SAFETY IDENTIFICATION CARD - Under this act, any person or company that rents or sells vessels may issue temporary boating safety identification cards to nonresidents to operate rented vessels or vessels being considered for sale, for a period of up to 7 days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license

SPONSOR: Burlison

HANDLER: Stouffer

establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. The Missouri State Highway Patrol shall charge a fee of \$9 for the temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. Under the act, the Missouri State Highway Patrol is authorized to develop the temporary boating safety identification card. The act requires businesses that issue temporary boating safety identification cards to transmit the applicant's information and payment to the Missouri State Highway Patrol using an electronic online registration process developed and provided by the patrol. The electronic online registration process shall allow the applicant to pay the \$9 fee by credit card, debit card, or other commercially approved electronic method. The act imposes a sunset date of December 31, 2022, on the nonresident temporary boating safety identification card program. This portion of the act contains an emergency clause. This portion of the act may be found in the truly agreed to versions of SB 719 and SB 568 (2012) (Section 306.127).

LIABILITY INSURANCE FOR INSPECTION STATIONS - This act requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection. This portion of the act is similar to SB 504 (2012), SB 45 (2011), SB 687 (2010) and HB 2588 (2008)(Sections 307.365 and 643.320).

TRANSPORTATION DEFINITIONS - The act makes technical modifications to the terms "mobile scrap processor", "scrap processor", and "vanpool" as used in Chapter 301 (Section 301.010 and 301.218).

FLEET VEHICLE LICENSE PLATES - Under this act, a fleet owner of at least 50 fleet vehicles may apply for fleet license plates bearing a company name or logo. Under current law, any fleet owner could apply these types of plates regardless of how many fleet vehicles he or she owned (Section 301.032).

DRIVEAWAY LICENSE PLATES - This act places additional restrictions on the use of driveaway license plates. Under this act, driveaway license plates shall only be used by owners, corporate officers, or employees of the business to which the plates were issued. Under the act, an applicant for a driveaway plate must provide certain information such as the business name, address, and driver license number. The applicant must provide proof of financial responsibility. In addition, the applicant must provide a picture of his or her place of business. The applicant must maintain a landline telephone at his or her place of business during the registration period. The act makes the use of a revoked driveaway license plate a Class A misdemeanor (Section 301.069). This section is also contained in HCS/HB 1640 (2012).

DEPARTMENT INVESTIGATORS - Under the terms of this act, department investigators licensed as peace officers shall be deemed to be peace officers while conducting investigations into matters regarding motor vehicle registrations and any provisions relating to taxes, licenses or fees (Section 301.216). This section is also contained in HCS/HB 1640 (2012).

INSPECTION OF SALVAGE POOL OPERATOR PREMISES - Under the terms of this act, representatives from the Department of Revenue may inspect the premises of salvage pool operators (Section 301.225).

VIN NUMBER/ODOMETER RECORDS - Under this act, motor vehicle dealers and public garage operators must maintain a record of a vehicle's VIN number, odometer settings and other information for a period of 5 years (current law is 3 years) (Section 301.280). This section is also contained in HCS/HB 1640 (2012).

SPONSOR: Burlison

HANDLER: Stouffer

FALSE STATEMENTS VIS-A-VIS MONTHLY SALES REPORTS - Under this act, any person who makes a false statement in a monthly sales report to the Department of Revenue is guilty of a Class A misdemeanor (Section 301.280). This section is also contained in HCS/HB 1640 (2012).

MISUSE OF DEALER PLATES/SURRENDER OF PLATES - This act allows any law enforcement officer or agent of the department to seize a dealer license plate or certificate of number if the officer or agent has probable cause to believe that it is being misused in violation of law (Section 301.560). This section is also contained in HCS/HB 1640 (2012).

PROCEDURE FOR REVOKING OR SUSPENDING A DEALER'S LICENSE - The act provides that if a motor vehicle dealer who has his or her license suspended refuses to surrender his license and distinctive number license plates, then the department may direct a law enforcement officer to secure possession of the items.

The act establishes a new administrative procedure for revoking or suspending a motor vehicle dealer license in situations that are deemed to present a clear and present danger to the public welfare. For example, the director may suspend or revoke a dealer license under the new procedure if the dealer allows a corporate surety bond or irrevocable letter of credit to expire or be revoked without submitting replacement coverage. Alternatively, the failure to maintain a bona fide established place of business constitutes a ground for suspension or revocation. Suspension or revocation of a license under these grounds shall be administratively processed by the department through evidentiary hearings held by the director or the director's designated agent (foregoes the administrative hearing commission process established for other types of offenses). The act sets forth the administrative procedure and notice requirements for the suspension or revocation of a license (Section 301.562). This section is also contained in HCS/HB 1640 (2012).

MOTOR VEHICLE ADVERTISING STANDARDS - This act clarifies that the terms "free" OR "at no cost" shall not be used in an advertisement if it requires the purchase of a motor vehicle to receive the free item, merchandise or service (Section 301.567). This section is also contained in HCS/HB 1640 (2012).

SALE OF 6 MOTOR VEHICLES OR MORE - This act provides that any person, partnership, corporation, company, or association who violates the state law prohibiting the sale of six or more vehicles in a year without a license shall be guilty of a Class D felony for a second or subsequent violation (Section 301.570). This section is also contained in HCS/HB 1640 (2012).

SPECIAL EVENT MOTOR VEHICLE AUCTION LICENSE - This act allows the Department of Revenue to issue a special event motor vehicle auction license to an applicant for the purpose of auctioning motor vehicles if 90% or more of the vehicles are at least 10 years old or older. Licensees shall auction no more than 3% of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners. Auctions can be held for no more than three consecutive days, but no more than two times in a calendar year by the same licensee. A report must be sent to the director within 10 days of the conclusion of the special event motor vehicle auction on a department-approved form specifying the make, model, year, and vehicle identification number of every vehicle included in the auction. Anyone violating this provision will be guilty of a Class A misdemeanor and will be charged a \$500 administrative fee payable to the department for each vehicle auctioned in violation of this provision. A special event motor vehicle auction will be considered a public motor

SPONSOR: Burlison

HANDLER: Stouffer

vehicle auction for purposes of licensing and inspection of certain documents and odometer readings; however, the licensee will not be required to have a bona fide established place of business. Applications to hold a special event motor vehicle auction must be received by the department at least 90 days prior to the event. Applicants must be registered to conduct business in this state, pay a licensing fee of \$1,000, and be bonded or have an irrevocable letter of credit in the amount of \$100,000. Applicants will be responsible for ensuring that a sales tax license or special event sales tax license is obtained if required.

A similar provision may also be found in the truly agreed to version of SB 470 (2012). The special event motor vehicle auction license provision is contained in HCS/HB 1640 (2012); SB 131 (2011), SB 167 (2011), SB 716 (2010), CCS/SS/SCS/HB 2111 (2010), and HB 979 (2009)(Section 301.580).

CRIMINAL HISTORY CHECKS TO OBTAIN LICENSE OR LIMITED DRIVING PRIVILEGES FOR CERTAIN OFFENDERS - This act requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted.

This act provides a definition for the term "criminal history check" for the drivers' license chapter (Section 302.010)

Under current law, the Department of Revenue is prohibited from issuing a driver's license to anyone who has more than 2 driving while intoxicated convictions. However, a person may petition the court after 10 years from the date of the last conviction to have a new license issued. If, after reviewing the person's record, it is found that the petitioner has not been convicted of alcohol-related offenses during the preceding 10 years, then the court may order the director to issue the petitioner a driver's license. This act requires the court to review the results of a criminal history check prior to making that determination (Section 302.060).

Under current law, the Department of Revenue is prohibited from issuing a driver's license to anyone convicted twice within a 5 year period of violating any driving while intoxicated law or any other intoxication-related traffic offense or to a person who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. Under the terms of this act, after the expiration of 5 years from the date of the last conviction, a person may petition the court to have a new license issued. The court must review the petitioner's record, including the results of a criminal background check, to determine whether the petitioner has not be convicted of and has no pending charges for alcohol-related offenses. If satisfied, the court may order the director to issue the petitioner a driver's license (Section 302.060).

Persons who petition the court for a reinstatement of his or her driver's license under this act must submit a criminal record review application with the Missouri State Highway Patrol. The petitioner shall submit 2 sets of fingerprints. One set of fingerprints will be used by the highway patrol to search the criminal history repository while the other set will sent to the FBI for searching the federal criminal history files. The person seeking a reinstatement of his or her license must pay all fees related to the criminal history check.

The act makes similar provisions for those who apply for limited driving privileges (hardship license). Under the terms of the act, the court or the director must review the results of a criminal history check prior to granting any limited driving privilege to any person denied a license for a period of 10 years or any person that cannot obtain a license for a period of 5 years. If the court or director finds that the person applying for the limited driving privileges has been convicted or has pending charges for offenses

SPONSOR: Burlison

HANDLER: Stouffer

related to alcohol, controlled substances, or drugs, during the preceding 3 years (for 10 year denial petitioners) or preceding 2 years (for 5 year denial petitioners), then the limited driving privilege shall be denied. The person who petitions the court for a limited driving privilege must submit a criminal record review application with the Missouri State Highway Patrol. The petitioner shall submit 2 sets of fingerprints. One set of fingerprints will be used by the highway patrol to search the criminal history repository while the other set will be sent to the FBI for searching the federal criminal history files. The person seeking a reinstatement of his or her license must pay all fees related to the criminal history check (Section 302.309). These provisions may be found in SB 893 (2012).

PASSENGER VEHICLES - This act repeals the provision prohibiting the operation of a motor vehicle that has a capacity of more than 5 passengers excluding the driver in intrastate commerce or more than 15 passengers including the driver in interstate commerce unless the vehicle is equipped and operated as required by specified federal regulations (Section 390.063 and Section 390.201). This provision is contained in HB 1808 (2012).

MUNICIPALLY OWNED VEHICLES - This act modifies the provision of law which exempts municipally owned vehicles from the state registration laws and the requirement that vehicles display plates. Under current law, municipal vehicles do not have to display a plate provided the vehicles display (in specific lettering) the name of the municipality, the department, and a distinguishing number. This act gives the municipality the option of having a plate on the vehicle in lieu of the lettering (Section 301.260). This provision may also be found in the truly agreed to version of HB 1807 (2012).

MISSOURI AUTO INSURANCE PLAN - This act amends Missouri Auto Insurance Plan (Missouri's automobile insurance residual market mechanism) law so that insurance companies that opt-out from servicing their share of high risk drivers shall be assessed a fee based on the insurance company's market share. The act requires the plan to contract with an entity to accept and service policies for companies that do not elect to accept and service policies. By October 1 of each year, companies that elect to accept applicants for policies for the next calendar year must notify the plan. Companies that do not elect to service applicants and policies shall pay a fee to the plan for providing such services. The fee shall be based on the company's market share (section 303.200). This provision may also be found in the truly agreed to versions of SB 470 and SB 480 (2012).

BILLBOARDS - This act modifies the law with respect to billboard regulation.

Under the terms of the act, conforming out of standard signs shall be treated as conforming signs under commission administrative rules, including new display technologies, lighting, cutouts, and extensions, except that such signs shall not be substantially rebuilt except in accordance with the provisions of the act. If allowed by applicable local regulations, new technologies, lighting, cutouts, and extensions may be utilized on conforming and conforming out of standard signs in accordance with department regulations.

A conforming out of standard sign may have 20% of its sign face, not to exceed 160 square feet of area, upgraded with digital technology for displaying text or numbers in accordance with current law and rules. A conforming out of standard sign may have more than 20% of its sign face upgraded to digital technology if it maintains a distance of at least 1400 feet from other digital technology display signs.

A conforming out of standard sign may be unstacked by closing the gap between the signs or by replacing the faces with one display area. The resulting sign face square footage shall not exceed the

SPONSOR: Burlison

HANDLER: Stouffer

square footage of the original stacked structure. A conforming out of standard sign structure height may be lowered.

Under this act, on the date the Highways and Transportation Commission approves funding for any phase or portion of construction or reconstruction of any street or highway, the rules in effect for outdoor advertising on August 27, 1999, shall be reinstated for that section of highway scheduled for construction and there shall immediately be a moratorium imposed on the issuance of state sign permits for new sign structures.

Owners of existing signs which meet the requirements for outdoor advertising in effect on August 27, 1999, and the requirements of the federal/state agreement and who voluntarily execute a partial waiver and reset agreement may reset such signs on the same or adjoining property. Such reset agreements shall be contingent upon obtaining any required local approval to reset the sign structure. Any sign which has been reset must still comply with the August 27, 1999, outdoor advertising regulations after it has been reset.

Owners of existing signs who elect to reset qualifying signs shall receive compensation from the commission or in an accordance with a cost sharing agreement representing the actual cost to reset the existing sign. Signs which have been reset under the act must be reconstructed of the same type materials and may not exceed the square footage of the original sign structure.

Sign owners may elect to reset existing qualifying signs by executing partial waivers and reset agreements with the commission. The commission may consider the impact of a potential reset upon scenic, natural, historic, or other features in the surrounding area in its determination of whether to enter a reset agreement.

Upon the completion of construction on any section of highway, the moratorium on new permits shall be lifted and the rules for outdoor advertising in effect on the date the construction is completed shall apply to such section of highway.

Local zoning authorities may prohibit the resetting of qualifying signs which fail to comply with local regulations.

The act requires all signs to be subject to biennial inspection fees.

This billboard provisions are similar to the ones contained in SB 607 (2012), SB 120 (2011), HB 2097 (2010) SB 704 (2010), and SCS/SB 57 (2009) (Sections 226.500 and 226.541).

MINIMAL YELLOW LIGHT STANDARDS - This act requires the Department of Transportation to establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard. This portion of the act is identical to SB 212 (2011) (Section 304.289) (SA 7). This provision is also contained in the truly agreed to version of SB 611 (2012).

THIRD LICENSE PLATE - This act allows motorists to purchase an additional temporary license plate that matches an existing or newly issued plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the actual plate. The act requires the temporary plate to be produced in a manner

SPONSOR: Burlison

HANDLER: Stouffer

and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate. The fee for the additional temporary license plate shall be the same charged for a temporary permit. The third plate may only be used on the vehicle with the matching plate, and the additional third plate must be clearly recognizable as a third plate and only used for such purposes. The act requires the temporary plate to be placed in the interior of the vehicle's rear window such that the drivers view out the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle. The act further provides that the temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle (Section 301.140). This provision may also be found in the truly agreed to version of SB 470 (2012). The provision had its genesis in SB 843 (2012) (SA 8).

PERFECTION OF AUTO AND BOAT LIENS - Under the terms of this act, on a refinance by a different lender of a prior loan secured by a motor vehicle, outboard motor, watercraft etc., the lien is perfected by delivering notice of lien to Director of Revenue (Section 301.600 and 306.400) (SA 2). These provisions may also be found in the truly agreed to version of SB 635 (2012).

STEPHEN WITTE

*** **HB 1424** ***

SPONSOR: Marshall

HANDLER: Engler

HB 1424 - This act allows the Missouri State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers in the same manner that the Highway Patrol may currently sell surplus highway patrol vehicles.

Proceeds from the sales will be directed to the "Highway Patrol's Motor Vehicle, Aircraft, and Watercraft Revolving Fund", which is administered by the superintendent of the Highway Patrol. Proceeds from the fund are used to purchase Highway Patrol motor vehicles, and may be used under this act to also purchase watercraft, and watercraft motors and trailers.

This act is identical to SB 690 (2012).

MEGHAN LUECKE

*** **HB 1460** ***

SPONSOR: Jones

HANDLER: Goodman

SCS/HB 1460 - Currently, a court fee is collected and deposited into the Statewide Court Automation Fund. The Court Automation Committee may use moneys in the fund for court automation. Collection of the fee is set to expire on September 1, 2013. The Committee is to cease functions no later than September 1, 2015. Unexpended moneys remaining in the fund will be transferred to the general revenue fund on September 1, 2013.

This act extends collection of the court fee until September 1, 2018. Moneys left in the fund on that date will be transferred to the general revenue. The Committee shall cease functioning on September 1, 2020.

This act is similar to provisions contained in HCS/HB 1256 (2012), HCS/HB 628 (2012) & HCS/SB 636(2012).

MIKE HAMMANN

SPONSOR: Cauthorn

HANDLER: Munzlinger

HCS#2/HB 1462 - Under current law, a producer is eligible to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for 60 months unless it fails to receive the full amount due to a lack of appropriations, in which case it is eligible for up to 24 additional months. This act removes the 24-month limitation and allows a producer's eligibility to receive payments to continue indefinitely until the full amount has been received.

ERIKA JAQUES

SPONSOR: Nance

HANDLER: Wasson

SCS/HCS/HB 1495 - Current Missouri law allows insurers and others to share information related to insurance fraud investigations without being subject to civil liability for libel. This act expands the immunity afforded to insurers and others for filing reports and furnishing other information related to an insurance fraud investigation so that the insurer will not be subject to civil liability of any kind, including libel and slander.

Additionally, the act provides that no civil cause of action of any nature shall arise against a person for furnishing or receiving information related to suspected or anticipated fraudulent insurance acts to or from:

- (1) Law enforcement officials, agents and employees;
- (2) Persons subject to Section 375.991;
- (3) Federal and state agencies, the NAIC, the National Insurance Crime Bureau, or any other organization established to detect and prevent fraudulent insurance acts.

This act is identical to SCS/SB 697 (2012).

STEPHEN WITTE

SPONSOR: Hough

HANDLER: Schmitt

SS/SCS/HCS/HB 1498 - Under current law, anyone who possesses a license to sell liquor in the original package may apply for an additional license to sell liquor on Sundays from 9 a.m. until midnight. In addition, various laws give certain specified establishments, such as airline clubs, places of amusement, and restaurant bars, the opportunity to apply for a license to sell liquor by the drink at retail on Sundays.

This act allows any liquor license holder to apply for a license to sell liquor at retail on Sundays from 9 a.m. until midnight except certain establishments in St. Louis and Kansas City that can apply for such licenses under different statutory authority. The statutory authority for such establishments in St. Louis and Kansas City is modified so that they do not have to serve food in addition to liquor.

The cost of the general Sunday license is \$200. In addition, this act repeals statutes that allowed Sunday liquor licenses for specific types of license holders because those licensees can apply for the Sunday license under this act.

SPONSOR: Hough

HANDLER: Schmitt

Opening times for other establishments that have a license to serve liquor seven days a week are changed to 9 a.m.

This act allows businesses in the St. Louis International Airport that hold a license to sell liquor by the drink at retail for consumption on the premises where sold to apply for a special license to begin serving liquor at 4 a.m., seven days of the week. The applicant must pay \$300 a year for the special license.

In addition, caterers who have a special license to sell intoxicating liquor by the drink at retail may also sell intoxicating liquor in the original package under this act.

This act reduces from 45 to 20 the different types of draft beer that a restaurant bar without an on-site brewery must serve in order to sell 32 fluid ounces or more of such beer to customers for consumption off the premises of such bar.

In addition, this act allows holders of a license to sell alcohol by the drink at retail to utilize table tap dispensing systems at their establishments. These dispensing systems allow patrons, upon the authorization of an employee at the establishment, to dispense their own beer. Only 32 ounces of beer per patron may be dispensed per authorization. No law or rule shall be interpreted as allowing distributors, manufacturers, or wholesalers to furnish or service such dispensing systems.

This act is similar to SCS/SB 615 and contains provisions identical to SB 31 (2011).
MEGHAN LUECKE

SPONSOR: Richardson

HANDLER: Lamping

SCS/HB 1504 - This act modifies provisions of law regarding sales taxes.

METROPOLITAN PARK AND RECREATION DISTRICT
(Sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754)

This act authorizes any county that is part of the Metropolitan Park and Recreation district to impose an additional sales tax up to 3/16th of one percent, if the voters of St. Louis County and at least one of the other counties approve the tax. Sixty percent of the additional tax is to go to the Gateway Arch grounds and other regional park and trail improvements with specific amounts allocated at different times to the Arch and to other park projects. Forty percent of the additional tax is to go to the county for local and county park improvements. This additional tax would not apply to the sale of food and prescription drugs.

The act requires that any contract concerning capital improvements or maintenance activities in the Gateway Arch grounds area be approved by the Metropolitan Park and Recreation district, the federal government, and any public or private not-for-profit entities that directly provide supplemental funding for the contract. Capital improvements and maintenance activities must be constructed and performed according to a comprehensive agreement approved by the Metropolitan Park and Recreation district before the public vote on the additional sales tax.

Any county that approved the additional sales tax is required to submit a proposal to reauthorize this tax to the county voters at a general election no later than 23 years after the additional sales tax is effective.

SPONSOR: Richardson

HANDLER: Lamping

These provisions of the act have an emergency clause.

These provisions are similar to provisions of SS#2/SCS/HCS/HB 1623 (2012).

PEVELY TRANSIENT GUEST TAX

(Section 67.1360)

This act authorizes the city of Pevely to impose a transient guest tax, upon approval of the voters, to fund the promotion of tourism.

This provision is similar to SB 912 (2012) and identical to a provision of SS#2/SCS/HCS/HB 1623 (2012).

BUCHANAN COUNTY THEATER, CULTURAL ARTS, AND ENTERTAINMENT DISTRICT

(Sections 67.2500 and 67.2510)

This act adds Buchanan County and the cities, towns, or villages within Buchanan County to the list of governmental entities that are authorized to establish a Theater, Cultural Arts, and Entertainment taxing district.

These provisions are identical to SB 465 (2012), provisions of SS#2/SCS/HCS/HB 1623 (2012), and provisions of SS/SCS/HB 1170 (2012).

JACKSON COUNTY PARKS, TRAILS, AND GREENWAYS DISTRICT

(Sections 67.5000 to 67.5038)

This act authorizes Jackson County to create a parks, trails, and greenways district and impose an additional sales tax of one-tenth of one cent, if the voters of Jackson County approve the creation of the district and the tax. The question of whether to continue the sales tax authorized for Jackson County to create a parks, trails, and greenways district shall be submitted every twenty-three years to the Jackson county voters. The parks, trails, and greenways district will be responsible for planning, developing, operating, and maintaining trails, open space, greenways, and parks throughout Jackson County. This act does not modify any existing recreation system or public parks system that exists within the district.

Among other powers, the district has the power to issue tax-exempt bonds, enter into contracts, lease, purchase, and hold property, establish and collect charges for using district facilities, employ staff, and appoint advisory committees. The district also has the power to enter into agreements with public authorities to pay for alterations to highways, street or roads, when the highway, street or road affects trails or parks of the district. The district does not have the power of eminent domain.

The one-tenth of one cent sales tax will be distributed between the district, the county, and the cities in the county, with forty-five percent going to the district, fifteen percent going to the county, and forty percent going to the cities in proportion to each city's local sales tax contribution. The sales tax revenues may not be paid to any special allocation fund established under the Real Property Tax Increment Allocation Redevelopment Act.

The district is governed by a seven member board, with one member chosen by the presiding commissioner or elected county executive of the county, two members appointed by the mayor of the largest city, and four members appointed on a rotating basis by the mayors of the next five most populous cities in the county.

SPONSOR: Richardson

HANDLER: Lamping

The district is required to follow state bidding requirements for all construction and maintenance purchases above ten thousand dollars.

These provisions are similar to provisions of SS#2/SCS/HCS/HB 1623 (2012) and SCS/HB 1170 (2012).

MUNICIPAL LICENSE TAXES

(Section 71.625)

This act provides that generally the provisions of law regarding interest, penalties, and the statute of limitations provisions from the state sales tax law apply to delinquent municipal license taxes.

This provision is identical to a provision of SS#2/SCS/HCS/HB 1623 (2012).

KANSAS CITY CONVENTION AND TOURISM TAX

(Section 92.338)

This act allows the city council of Kansas City to pass an ordinance and seek voter approval to collect the city convention and tourism tax from hotel guests who are otherwise exempt by law from paying this tax and from paying state and local sales taxes.

This provision is identical to a provision of SS/SCS/HB 1170 (2012) and similar to the perfected version of HB 1804 (2012).

SALES TAX REFUNDS

(Section 144.190)

This act modifies the procedures for seeking a refund of sales taxes. A purchaser is allowed to submit a claim for a refund of the sales tax directly to the Director of Revenue. The purchaser is allowed to appeal the decision to deny a refund within sixty days of the date the notice of denial is mailed. A decision of the director to deny a refund claim based solely on the issue of the exemption of the electronic transmission or delivery of computer software that occurred on or after January 1, 2007, will be appealable by the purchaser, if the purchaser appeals by September 28, 2012.

This provision is similar to a provision of HCS/HB 1030 (2012) and a provision of HCS/HB 1639 (2012).

SALES AND USE TAX PAYMENT BY COMMON CARRIERS

(Section 144.805)

This act also extends the expiration date from December 31, 2013, to December 31, 2023, on provisions regarding the payment by common carriers of sales and use tax on aviation fuel and tangible personal property.

This provision is identical to a provision of HB 1909 (2012), SB 740 (2012), HB 1431 (2012) and SS#2/SCS/HCS/HB 1623 (2012).

LIBRARY DISTRICT SALES TAX

(Section 182.802)

This act also authorizes any public library district located in Pemiscot County to impose a one-half cent sales tax upon approval of the voters.

SPONSOR: Richardson

HANDLER: Lamping

This provision is identical to a provision of SS#2/SCS/HCS/HB 1623 (2012).

EMILY KALMER

SPONSOR: Fuhr

HANDLER: Goodman

SCS/HCS/HB 1525 - This act modifies provisions relating to probation, parole and conditional release.

EARNED COMPLIANCE CREDITS

Under this act, the Division of Probation and Parole must award earned compliance credits to offenders placed on probation, parole, or conditional release beginning October 1, 2012. The credits are equal to thirty days of time served for every calendar month the offender remains in compliance with the terms of probation, parole, or conditional release. The credits reduce the duration of the term, but may be suspended or rescinded if the offender violates probation or parole. The offender must serve at least two years of the sentence on probation, parole, or conditional release. Only certain offenders of Class C and D felonies or drug crimes who are not on lifetime supervision may earn the credits. In addition, the court may limit eligibility for offenders of certain felonies.

ADMINISTRATIVE JAIL SANCTIONS

This act also allows the Division of Probation and Parole to place offenders in jail for short periods of time when a probation and parole officer believes an offender has violated a condition of release unless the offender's order of release includes detention as a condition of the probation or parole. The first period of detention may be no longer than 48 hours and the offender may only spend up to 360 hours in jail in a calendar year.

The department must reimburse counties at a rate determined by the department, but no less than \$30 per day per offender, for the period of detention. The department must certify to the counties before imposing a period of detention that there are enough funds to cover the cost of reimbursement. If there is not enough funding to cover the reimbursement or the jail does not have enough space, then the jail may refuse to accept offenders for detention. Once released from the period of detention, the offender can continue the probation or parole term unless new or additional information is brought forward that the offender was involved in the commission of a crime.

MANDATORY PLACEMENT IN 120-DAY PROGRAM FOR FIRST REVOCATION

Under this act, the court must order the Department of Corrections to place certain offenders in one of the department's 120-day programs before revoking the offender's probation upon a determination by the court that the offender committed a violation of the terms of release.

Offenders who are on probation or parole for Class C or D felony offenses or a drug offense, have not been placed in a 120 day program during the same sentence, and whose probation or parole violation does not fall within certain specified types of offenses are eligible for placement in one of the alternative programs. The court may also limit eligibility for offenders of certain Class C and D felonies.

Once the offender has completed the program, the court must continue the term of probation, parole, or conditional release without modifying, enlarging, or extending the term based on the same violation.

Time served in the alternative program is to be credited against the offender's sentence.

SPONSOR: Fuhr

HANDLER: Goodman

SENTENCING AND CORRECTIONS OVERSIGHT COMMISSION

This act creates a 13-member commission to oversee the implementation, and to calculate the effects, of this act. The duties of the commission also include determining ways to reinvest any cost savings realized from the passage of this act to pay for evidence-based practices to reduce recidivism and examining how restitution is collected for crime victims.

The Governor and Missouri Supreme Court chief justice have the authority to appoint certain members to the commission, which serve staggered four-year terms. In addition, this act requires the chairs and ranking minority members of the Senate Judiciary Committee and the House Appropriations - Public Safety Committee, the directors of the Missouri State Public Defender System, Missouri Office of Prosecution Services, Missouri Department of Corrections, and the Board of Probation and Parole to serve as voting, ex officio members on the commission. The Judiciary chair and the Appropriations chair shall serve as co-chairs of the commission.

This act requires the commission to issue a report on December 31, 2012, and each year thereafter, to the Speaker of the House, Senate President Pro Tem, Missouri Supreme Court Chief Justice, and the Governor.

The commission's first meeting must occur before February 28, 2013 and the members must meet at least twice a year, only receiving compensation for their actual and necessary expenses. Staff and consultants may be employed by the commission.

The provisions establishing the commission will expire on August 28, 2018.

This act is similar to SS/SCS/SB 699 (2012).

MEGHAN LUECKE

SPONSOR: Elmer

HANDLER: Crowell

HCS/HB 1527 - Currently any motor vehicle less than \$3,000 in value is exempt from execution or attachment. This act requires that all motor vehicles owned by a debtor be considered together and only their aggregate value less than \$3,000 shall be exempt. Mobile homes used as principal residences cannot be attached to real property in which the debtor has an interest to be exempt. The exemption for local public assistance benefits is broadened to include all public assistance benefits. The age for dependents included in the head of household exemption calculation is raised from eighteen to twenty-one.

This act is similar to SB 683 (2012) and is similar to provisions contained in HCS/HB 1256 (2012), HCS/SB 628 (2012) & HCS/SB 636 (2012).

MIKE HAMMANN

SPONSOR: Jones

HANDLER: Dempsey

HB 1540 - This act states that co-employees shall be released from all liability for workplace injuries or death for which compensation is recoverable under the workers' compensation statutes. However, the employee shall not escape liability when the employee engages in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury.

SPONSOR: Jones

HANDLER: Dempsey

The Division of Workers' Compensation is allowed to determine the manner in which an application is made for hearings on compensation disputes and the manner in which notices for failure to prosecute are sent to those other than employees.

The act allows documents relating to the outcome of hearings and notices to be sent by electronic means to the parties in dispute and the employer's insurer when the employee has representation. All other notices, not otherwise specified, may be sent by electronic means.

This act is similar to SS#2/SCS/SB 8 (2011), SS/SCS/SB 572 (2012), SB 827 (2012), SB 878 (2012), and HB 1403 (2012).

CHRIS HOGERTY

*** HB 1549 ***

SPONSOR: Richardson

HANDLER: Kraus

HCS/HB 1549 - Under current law, only landline telephone numbers may be placed on the state Do-Not-Call list. This act allows cell phone numbers to also be placed on the list. Additionally the act prohibits telemarketers from sending a fax, text message, or graphic, video or audio communication to any phone number on the list.

This act contains provisions similar to provisions in SB 594 (2012); SB 199 (2011), SB 633 (2010), SCS/SBs 65 & 43 (2009), SCS/SBs 840 & 857 (2008), SS/SCS/SBs 49, 65, 210, 251 (2007).

ERIKA JAQUES

*** HB 1563 ***

SPONSOR: Sater

HANDLER: Wasson

SS/SCS/HCS/HB 1563 - This act modifies provisions relating to healthcare services.

SCHOOL SOCIAL WORKERS

This act authorizes accredited Missouri colleges and universities to issue a document that verifies and acknowledges completion of a school social work program. Individuals seeking the document must have a degree in social work and either hold a credential in school social work from a nationally recognized credentialing organization or have passed a school social work exam approved by the State Committee for Social Workers. The Department of Higher Education will develop the document being issued. This section contains an emergency clause.

Section 173.1400

The State Committee for Social Workers is authorized to issue a document to verify and acknowledge completion of a school social work program. The document will be issued to individuals holding a license issued by the Committee, submitting a fee, and either holding a credential issued by a nationally recognized organization or having passed a specified exam. The document issued is not a license or certificate and conveys no authority to practice social work. The document issued will not expire or subject the holder to discipline under a professional licensing provision.

SECTION 337.647

These provisions are similar in purpose to SB 870 (2012) and HB 1803 (2012) and similar to a

SPONSOR: Sater

HANDLER: Wasson

provision in HCS/SB 667 (2012).

PRESCRIPTION DRUGS

A pharmacist, in good faith, may sell and dispense controlled substances to any person upon a prescription of a practitioner located in another state, provided that:

(1) The prescription was issued according to and in compliance with the applicable laws of that state and the United States; and

(2) The quantity limitations specified under this act apply to prescriptions dispensed to patients located in this state. SECTION 195.060

Currently, the quantity of Schedule III, IV or V controlled substances dispensed at any one time is limited to a 90-day supply with the ability to increase the amount up to 3 months under certain circumstances. This act provides that such supply limitations shall not apply if the prescription is issued by a practitioner located in another state according to and in compliance with the applicable laws of that state and the United States and dispensed to a patient located or residing in another state.

SECTION 195.080

Under current law, physician assistants who are authorized to prescribe controlled substances shall register with the federal Drug Enforcement Administration and the State Bureau of Narcotics and Dangerous Drugs and shall include such registration numbers on prescriptions for controlled substances. This amendment requires the physician assistants to only include the registration number from the Drug Enforcement Administration on the prescriptions.

SECTION 334.747

These provisions are similar to SB 785 (2012) and are contained in HCS/HB 1193 (2012), HB 1372 (2012) & SB 710 (2012).

PHARMACIES AND PRESCRIPTION DRUGS

This act allows a pharmacy to sell, purchase, or trade prescription drugs to pharmacies not licensed in Missouri if the total dollar amount of the sales, purchases, or trades are in compliance with the rules of the Board of Pharmacy, but in no event exceed 5% of the pharmacy's total annual prescription drug sales. Pharmacies must establish and maintain inventories and records of all transactions regarding prescription drugs for two years. This information must be readily available upon request by the Board of Pharmacy. The Board is authorized to promulgate rules regarding these provisions.

SECTION 338.315

The Board of Pharmacy is authorized to promulgate rules allowing the distribution of drugs by out-of-state pharmacies in the event of an emergency or to alleviate a supply shortage. SECTION 338.333

These provisions are similar to HB 1070 (2012) and are contained in HCS/SB 742 (2012).

COLLABORATIVE PRACTICE ARRANGEMENTS (Section 334.104)

Currently, a collaborating physician must review a certain percentage of an advanced practice registered nurses charts. This act allows the collaborative practice arrangements to specify alternative doctors to review the charts. This section is similar to HB 1996 (2012).

BEHAVIOR ANALYSTS (Sections 337.300 - 337.347)

SPONSOR: Sater

HANDLER: Wasson

This act modifies provisions relating to temporary behavior analysts, temporary assistant behavior analysts, provisional behavior analysts, provisional assistant behavior analysts, and the Behavior Analyst Advisory Board.

Currently, the Governor selects one of the professional members of the State Committee of Psychologists to serve on the Behavior Analyst Advisory Board. This act mandates that the committee will select by a majority vote which professional member of the committee will serve on the advisory board

The Behavior Analyst Advisory Board will review all applications for any behavior analyst license. The board will also recommend to the State Committee of Psychologists rules for promulgation regarding all types of behavior analyst licenses.

Submission of a fee set by the State Committee of Psychologists will be required before a temporary license is issued. For licensure as a temporary assistant behavior analyst, proof of a valid license as an assistant behavior analyst in another state is required.

The requirements for submission of a passport photograph, passage of an examination, and board certification are eliminated for provisional licenses. To receive a provisional license, the applicant must submit a complete application, pay the appropriate fee, and satisfy the requirements for either a licensed behavior analyst or licensed assistant behavior analyst, depending the provisional license sought. Those holding provisional licenses may only practice under the supervision of licensed behavior analyst. Provisional licenses will terminate upon issuance of a permanent license, a finding of cause to discipline, termination of supervision, or one year after issuance. Provisional licenses may only be renewed for one additional year.

No person shall hold themselves out as having a temporary or provisional license unless they meet the applicable requirements. Individual holding a temporary or provisional license shall limit their practice to their respective areas of competence and not practice in another area without obtaining additional training, education, and experience.

To receive reimbursement, the supervising behavior analyst shall do the billing to insurance providers for the services of temporary licensed behavior analysts, provisionally licensed assistant behavior analysts, and provisionally licensed behavior analysts.

These provisions are similar to SB 803 (2012), HB 1518 (2012) and HB 1522 (2012).

ELECTRONIC PRIOR AUTHORIZATION COMMITTEE (Section 338.320)

This act establishes the Missouri Electronic Prior Authorization Committee in order to facilitate, monitor, and report to the General Assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Prior authorization generally relates to the process of obtaining prior approval from an insurer for certain services or medications.

Such Missouri-based efforts to be analyzed by the committee include the Missouri-based electronic prior authorization pilot program established under this act and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards. The committee shall advise the General Assembly as to whether there is a need for administrative rules to be promulgated by the

SPONSOR: Sater

HANDLER: Wasson

Department of Insurance, Financial Institutions and Professional Registration (Department of Insurance)as soon as practically possible.

The director of the Department of Insurance shall be chair of the committee which shall also include the director of the Department of Social Services as a member of the committee. The list of the other members to be appointed to the committee are specified under the act.

The full list of the duties of the committee are prescribed under the act but include preparing a report at the end of each calendar year to be distributed to the General Assembly and Governor with a summary of the committee's progress and plans for the next calendar year. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards or the provisions of this act terminate, whichever is sooner.

Upon the adoption of national electronic prior authorization standards by the NCPDP, the committee shall prepare a final report to be distributed to the General Assembly and Governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated in order to make those standards effective as soon as practically possible, and advise the General Assembly and Governor if there are any legislative actions necessary to the furtherance of that end.

The Department of Insurance and the Missouri electronic prior authorization committee shall recruit a Missouri-based pharmacy benefits manager (PBM) doing business nationally to volunteer to conduct an electronic prior authorization pilot program in Missouri. The PBM conducting the pilot program shall ensure that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this act shall be operational by January 1, 2014. The department and the committee may provide advice or assistance to the PBM conducting the pilot program but shall not maintain control or lead with the direction of the pilot program.

This act contains a six-year sunset provision. This section is identical to SCS/HCS/HB 1827 (2012) and is similar to SB 812 (2012).

EMPLOYEE DISQUALIFICATION LIST (Section 660.315)

This act allows consumer reporting agencies that conduct background checks for certain healthcare providing entities to have access to the employee disqualification list maintained by the Department of Social Services. Consumer reporting agencies may only check the employee disqualification list when requested by healthcare providing entities. Persons with access to the list are not to disclose information on the list to any person not entitled to access the list. Persons violating this provision will be guilty of an infraction.

MIKE HAMMANN

SPONSOR: Largent

HANDLER: Parson

SS/HCS/HB 1576 - This act allows any specialized licensed foster parent of foster children with special needs due to a history of sexual abuse, serious physical abuse, or severe chronic neglect to purchase the same health insurance as state employees for himself or herself and his or her dependents from the Missouri Consolidated Health Care Plan at the actuarially determined rate of total premium for such health care coverage. Any such licensed foster parent as outlined above providing temporary foster care for children with a documented history of presenting behaviors or diagnoses that render the child

SPONSOR: Largent

HANDLER: Parson

unable to effectively function outside of a highly structured environment is eligible to purchase the state health insurance plan at his or her own expense. A foster parent who is seeking to adopt a foster child or who is related to the foster child shall not be eligible to purchase the plan.

In order to be able to purchase such health insurance, the foster parents shall not have access to other health insurance coverage through an employer or spouse's employer. The Department of Social Services shall provide the appropriate documentation of initial and ongoing eligibility of foster parents who qualify for the purchase to the Missouri Consolidated Health Care Plan.

ADRIANE CROUSE

*** HB 1577 ***

SPONSOR: Largent

HANDLER: Pearce

HB 1577 – This act requires the Department of Elementary and Secondary Education to ensure that school districts implement specific criteria relating to the enrollment of foster care children.

School districts will be required to: facilitate the timely enrollment of foster care children; facilitate the student placement process so that foster care children are not disadvantaged by variations between school districts; facilitate the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities; facilitate the on-time graduation of foster care children; provide for uniform collection and sharing of information between and among schools, foster care children, and families; and promote flexibility and cooperation between the educational system, foster parents, and the student to achieve educational success for the student.

When a foster care student transfers before or during the school year, the receiving school district must initially honor the placement of the student in educational courses based on the student's enrollment or assessments conducted in the sending district. The receiving district may perform subsequent evaluations to ensure appropriate placement. The receiving district must initially provide comparable services to a foster care student with disabilities based on his or her current IEP and provide accommodations under section 504 of the Rehabilitation Act. The receiving district may conduct subsequent evaluations to ensure appropriate placement.

Schools must waive specific courses required for graduation if similar course work has been satisfactorily completed in another school or provide reasonable justification for denial of a waiver. If the school district does not grant a waiver, it must provide an alternative means of acquiring required course work so graduation may occur on time. Receiving schools must accept end-of-course exams required for graduation from the sending school, national norm-referenced achievement tests, or alternative testing in lieu of testing requirements for graduation.

If a foster care student transfers at the beginning or during the senior and is ineligible to graduate from the receiving school, the sending and receiving school must grant a diploma to the student from the sending school, provided the student meets the sending school's graduation requirements.

This section is identical to SB 342 (2011) and HB 419 (2011), and a provision contained in HCS/SCS/SB 758 (2012).

MICHAEL RUFF

*** HB 1608 ***

SPONSOR: McNary

HANDLER: Lembke

HCS/HB 1608 – This act repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions.

The act provides that the Women's Heart Health Program shall expire three years after the effective date of the act (Section 191.425). Current law allowing the Department of Social Services to make available for purchase a health insurance policy through the Medicaid Program shall expire one year after the effective date of the act (Section 208.178).

Provisions within current law regarding the requirement that the MO HealthNet Division develop pay-for-performance payment program guidelines are repealed (Section 208.153).

Current law requires the Missouri on-site surveyor evaluation process to be part of the process ensuring uniformity of application of regulation standards in long-term care facilities in the state. This act repeals the provision requiring the on-site surveyor evaluation process to be part of ensuring such uniformity (Section 198.527).

The act further repeals a number of current law provisions including the following:

- (1) A duplicating equipment unit and a records management center established by the Commissioner of Administration (Sections 37.115, 37.125, 37.300, 37.310, 37.320, 37.330, 37.340, 37.360, 37.370, and 37.390);
- (2) The central registry for not-for-profit human services providers in the Office of Administration (Section 37.500);
- (3) The Veterans' Historical Education Trust Fund (Sections 42.014 and 42.015);
- (4) The Missouri Senior Cadets Program (Section 160.375);
- (5) The Research-based Reform Program (Section 160.542);
- (6) The Persistence to Graduation Fund (Section 160.950);
- (7) The Disability Freeze Fund (Section 161.182);
- (8) The Student Suicide Prevention Grant Program (Section 161.235);
- (9) The Volunteer and Parents Incentive Program (Section 161.800);
- (10) The New Schools Pilot Project (Section 162.1010);
- (11) The Missouri Preschool Plus Grant Program (Section 162.1168);
- (12) The Model School Wellness Program (Section 167.229);
- (13) The Extended Day Child Care Program Act (Sections 167.290 -

SPONSOR: McNary
167.310);

HANDLER: Lembke

- (14) The Alternative Education Act (Sections 167.320 - 167.332);
- (15) The Missouri Teacher Corps Program (Section 168.430);
- (16) The Missouri Prospective Teacher Loan Program (Sections 168.550-168.595);
- (17) The Missouri Critical Teacher Shortage Forgivable Loan Program (Section 168.600);
- (18) Allowing certain teachers who retired prior to July 1, 1957, to be employed by the Department of Elementary and Secondary Education as a special advisor and supervisor in connection with state educational problems (Section 169.580);
- (19) Technology grants to school districts from the State Board of Education within the Department of Elementary and Secondary Education (Section 170.254);
- (20) Requiring the Coordinating Board for Higher Education to request appropriations based on the number of students receiving Pell grants (Section 173.053);
- (21) The Student Loan Default State Risk Sharing Program (Section 173.055);
- (22) The Undergraduate Scholarship Program (Section 173.198);
- (23) The Graduate Fellowship Program (Section 173.199);
- (24) The Missouri Educational Employees' Memorial Scholarship Program (Section 173.267);
- (25) The requirement that Missouri promote research and applied projects and the provisions regarding the Higher Education Research Fund (Sections 173.500 - 173.565);
- (26) The Higher Education Artistic Scholarship Program (Section 173.724);
- (27) The Higher Education Graduate Study Scholarship Program (Section 173.727);
- (28) The Missouri Fibromyalgia Awareness Initiative Program and the Missouri Fibromyalgia Panel (Section 191.390);
- (29) The requirement that licensed physicians providing obstetrical or gynecological care to a pregnant woman counsel all patients as to the perinatal effects of cigarettes, alcohol, and controlled substances and that the Department of Health and Senior Services establish a toll-free information line to provide information on resources for substance abuse treatment, establish protocols based on a risk assessment profile to be used by health care providers to identify high risk pregnancies, and conduct periodic tests on a sample of women or infants at the time of delivery (Sections 191.727, 191.733, 191.735, 191.741, and 191.745);
- (30) The requirement that the Attorney General annually report to the General Assembly and the

SPONSOR: McNary

HANDLER: Lembke

Governor on specified information regarding the MO HealthNet Fraud Unit within the Attorney General's Office and the Provider Integrity Unit within the Department of Social Services (Section 191.909);

(31) An osteoporosis prevention and education program (Sections 192.640-192.644);

(32) A state systemic lupus erythematosus program in the Department of Health and Senior Services (Section 192.729);

(33) The local registrar's fee for the transmission of records to the State Registrar (Sections 193.295 and 193.305);

(34) A demonstration project designed to establish a licensure category for health care facilities that wish to provide treatment to persons with Alzheimer's disease or Alzheimer's-related dementia (Section 198.086);

(35) The Aging-in-place Pilot Program (Section 198.531);

(36) Housing assistance to parents of children who are at imminent danger of removal and placement or who are in the custody of the Department of Social Services (Section 207.150);

(37) A pilot project created by the Director of the Division of Medical Services within the Department of Social Services to provide up to 1,000 recipients of unemployment compensation with medical assistance (Section 208.179);

(38) The requirement that the Director of the MO HealthNet Division within the Department of Social Services implement a program to make certain nonaggregated Medicaid data available through its website and submit specified reports to the General Assembly and the MO HealthNet Oversight Committee on the program (Section 208.192);

(39) A pilot project premium offset program for making standardized private health insurance coverage available to qualified individuals (Section 208.202);

(40) The Elders Volunteer for Elders Project Act (Sections 208.309-208.315);

(41) Pilot programs that promote community renewal and revitalization to enhance the quality of life for community residents and the Youth Build St. Louis Program (Section 208.335);

(42) The Transitional Benefits Demonstration Project (Sections 208.500 - 208.507);

(43) Collaborative agency agreements to create a one-stop shop for elderly citizens to apply for all available elderly services and programs (Section 208.612);

(44) An unmet needs report to be devised and implemented by the Division of Aging (Section 208.615);

(45) The Welfare to Work Protection Act (Sections 208.700 - 208.720);

(46) The Corrections Officer Certification Commission (Section 217.105);

SPONSOR: McNary

HANDLER: Lembke

- (47) The Missouri Regimented Discipline program (Section 217.378);
- (48) Sustainable agriculture demonstration projects within the Department of Agriculture (Section 261.105);
- (49) Requiring the Department of Agriculture to develop standards and labeling for organic farming and provisions regarding the Organic Production and Certification Fee Fund (Sections 261.110 and 261.120);
- (50) Allowing the Director of the Department of Agriculture to pay part of the cash premiums offered by agricultural fairs (Section 262.460);
- (51) A requirement that each bedding manufacturer, renovator, or sanitizer must register and obtain an initial permit and permit number from the Department of Health and Senior Services (Section 421.028);
- (52) The Grandparents as Foster Parents Program (Sections 453.322 and 453.325);
- (53) The Commission on Judicial Resources (Section 476.415);
- (54) The developmental disability stipend and the Family Support Loan Program Fund under the Family Services Support Program for Developmental Disability (Sections 633.180 and 633.185);
- (55) The Department of Social Services to include in its budget recommendation moneys for loans for physicians and nurses who serve in medically underserved areas of the state, health care initiatives, and transitional Medicaid expenses of certain Aid to Families with Dependant Children recipients (Section 660.016);
- (56) Certain caseload standards for employees of the Department of Social Services (Sections 660.019-660.021);
- (57) The Combined Senior Citizen Services Center/Residential Health Care Facility/Child Day Care Center Community Grants Program (Sections 660.530-660.545); and
- (58) Allowing an area agency on aging to establish a volunteer transportation program for health care-related purposes (Section 660.725).

JIM ERTLE

SPONSOR: Barnes

HANDLER: Purgason

HCS/HB 1644 - Currently, after receiving an initial license and one license renewal the licensing renewal period for gambling boat operators is every two years. This act changes the license renewal period to every four years.

This act also modifies the licensing period from every year to every two years for a person who has an occupational license to work in certain jobs within a gambling boat and for a person who supplies gambling equipment.

This act is similar to SB 580 (2012).

EMILY KALMER

SPONSOR: Riddle

HANDLER: Kehoe

SS/HCS/HB 1647 - The act modifies provisions relating to public safety.

SECTION 190.335 - EMERGENCY SERVICES

The act requires the Taney County Commission, upon voter approval of a county sales tax for central dispatching of emergency services, to appoint a seven-member board to administer the funds and oversee the provision of emergency services.

The act also requires that at least one member of the seven-member board represent each of the types of people delineated in the statute.

This provision is identical to on contained in HB 1114 (2012) and the perfected version of SS/SB 781 (2012).

SECTION 259.010 TO 259.070 - STATE OIL & GAS COUNCIL

The act modifies the composition of the State Oil and Gas Council by adding a representative of the Missouri Independent Oil and Gas Association, specifying that the University representative be from the Missouri University of Science & Technology's Petroleum Engineering program, and adding a second public member who must reside in a 3rd or 4th class county. The act also requires the Council to biennially review the state laws and regulations on oil and gas drilling and make any recommendations for changes. The Council may form an advisory committee to help it conduct the annual law review and make recommendations on program funding.

SECTION 260.373 - HAZARDOUS WASTE

The act allows the Missouri Hazardous Waste Commission to promulgate rules that exceed the federal Resource Conservation and Recovery Act (RCRA) only under certain conditions, otherwise the Commission is prohibited from promulgating any state regulation that either exceeds certain requirements under RCRA or that implements a requirement before RCRA requires implementation.

By December 31, 2013, the Department of Natural Resources must identify any of its rules that are inconsistent with the act and must thereafter amend any such rule. After December 31, 2015, any inconsistent rule becomes unenforceable.

The Department may not selectively exclude any or part of any state hazardous waste regulation in certain authorization applications to the U.S. Environmental Protection Agency.

SECTION 260.392 - TRANSPORTING RADIOACTIVE WASTE

This act modifies the method by which fees for transporting radioactive waste by truck are assessed. Under current law, a fee of \$1,800 is charged for each cask transported through or within the state by truck of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. In addition, all such cask shipments are subject to a surcharge of \$25 per mile for every mile over 200 miles traveled within the state. Under this act, the fees are assessed on a per-truck basis rather than a per-cask basis.

This provision is similar to a provision in SCS/HCS/HB 1402 (2012).

SECTION 292.606 - MISSOURI EMERGENCY RESPONSE COMMISSION

Currently, fees that certain employers and business that store, use, produce, or transport petroleum and other hazardous materials pay to the Missouri Emergency Response Commission are set to sunset on

SPONSOR: Riddle

HANDLER: Kehoe

August 28, 2012. This act extends that sunset to August 28, 2018.

Employers required to report hazardous substances, known as Tier II filers, may request the Commission to distribute the report to the local emergency planning committees and fire departments by paying a \$10 fee for each facility listed which shall not be applied to the employer's fee cap.

This section is identical to a section in SB 868 (2012).

SECTION 292.655 - MEDICAL NEEDLES

The act allows employers that routinely use medical needles to use safety protection devices to protect employees and customers from needlestick injuries.

This provision is identical to one contained in HCS/HB 1837 (2012).

SECTIONS 301.010 & 304.033 - RECREATIONAL OFF-HIGHWAY VEHICLES

This act modifies the definition of recreational off-highway vehicle (OHV) by increasing the width and weight limit of the vehicle. The width is increased from 60 inches to 64 inches and the unladen dry weight of the OHV is increased from 1,850 pounds to 2,000 pounds.

Under the act, recreational OHVs shall not be operated on highways except for:

- Governmental owned and operated recreational OHVs for official use;
- Recreational OHVs operated for agricultural purposes or industrial on-premise purposes;
- Recreational OHVs operated within three miles of the operator's primary residence but only for the purpose of accessing property owned or leased by the operator. This exception shall not apply in cities unless such cities authorize the operation by permit;
- Recreational OHVs operated occasionally by handicapped persons for short distances only on the state secondary roads;
- Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational OHVs on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;
- Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational OHVs on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

No person shall operate a recreational OHV within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational OHV on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational OHV upon on a highway in this state: without displaying a lighted headlamp and tail lamp; without wearing a seatbelt; and any recreational OHV must have a roll bar or roll cage.

These provisions are also contained in SCS/HCS/HB 1640 (2012).

SECTIONS 320.106 TO 320.136 - FIREWORKS

SPONSOR: Riddle

HANDLER: Kehoe

This act updates references to fireworks classifications in the Code of Federal Regulations and removes references to American Pyrotechnics Association standards. These sections contain an emergency clause.

These sections are identical to those in SCS/SB 835 (2012).

SECTIONS 321.228 & 321.460 - FIRE PROTECTION DISTRICTS

This act prohibits a fire protection district from enforcing any regulations dealing with new residential construction if the city, town, village, or county in which the construction is located has already adopted regulations for such construction.

Fire protection districts, do, however, have final regulatory authority over the location and specifications of fire hydrants and fire lanes and may inspect certain dwellings. However, this authority shall not be construed to require political subdivisions supplying water to incur any costs to modify its water supply infrastructure. Fire protection districts may not collect a fee for such services.

Under current law, two or more fire protection districts who have at least one common boundary may consolidate. This act also allows two or more fire protection districts that are located in the same county, in whole or part, to consolidate.

SECTIONS 414.530 TO 414.570 - MISSOURI PROPANE EDUCATION & RESEARCH COUNCIL

Under current law, there are 3 ways for the director of the Missouri Energy Center to initiate a referendum on the abolishment of the Missouri Propane Education and Research Council and the fee for odorized propane. This act removes one of these 3 ways, which is at the discretion of the director.

Current law allows vacancies on the council to be filled by the remaining members of the council, subject to the approval of the director. This act removes the requirement that the director must approve the appointment, requires the council to fill vacancies after a public nomination process, and allows the director to reject any appointment.

Current law requires the council to submit a budget plan to the director at the beginning of each fiscal period and requires the director to either approve or recommend changes to the budget after a public comment period. The act instead requires the budget plan be submitted for public comment at least 30 days prior to the beginning of each fiscal period, authorizes the council to approve or modify the budget after the public comment period, and allows the director to reject the council's budget or modifications.

The act removes the authority of the director to require additional reports from the council at his or her discretion beyond what is already required under current law.

Authority to establish an alternative means to collect the odorized propane fee and set late payment charges is currently given to the director. This act transfers this authority to the council. The interest rate charged for late payments may not exceed the legal rate for judgments.

The act removes provisions that allow the National Propane Education and Research Council to coordinate its operations with Missouri's council and that authorize Missouri's council to keep funds resulting from a federal rebate on propane fees.

These sections are identical to those in SB 297 (2009) and HB 751 (2009).

SPONSOR: Riddle

HANDLER: Kehoe

SECTIONS 488.650, 561.026 and 610.140 - EXPUNGEMENT

Any person found guilty of a felony or misdemeanor offense of passing of a bad check, fraudulent stopping payment of an instrument, fraudulent use of a credit device, any misdemeanor offense of negligent burning or exploding under section 569.065, negligently setting fire under Section 569.067, second degree tampering under section 569.090, second degree property damage under subdivision (1) of subsection 1 of Section 569.120, first degree trespass under section 569.140, trespass under section 569.145, gambling under Section 572.020, private peace disturbance under section 574.020, drunkenness or intoxication under Section 574.075, or any Class B or C misdemeanor offense of peace disturbance under Section 574.010 may file a petition with the court in which the offense was adjudicated to have records related to the offense expunged.

The petitioner must demonstrate the following criteria to have a record expunged:

- Twenty years in the case of a felony, and ten years in the case of a misdemeanor or infraction, have elapsed since the person has completed his or her imprisonment, period of probation, or period of parole;
- The person has not been found guilty of any misdemeanor or felony during that time;
- The person has paid all restitution ordered by the court;
- The circumstances and behavior of the petitioner warrant the expungement; and
- The expungement is consistent with the public welfare.

A person may apply to have one or more eligible offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition.

The petition must name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement only affects those named as defendants.

At the hearing, which may be held no sooner than 30 days after the filing of the petition, the court may accept evidence and hear testimony on the criteria for each of the offenses listed in the petition for expungement.

If the court determines the person meets all the criteria for each of the offenses listed in the petition for expungement, the court may order expungement and provide the order to each entity named in the petition.

The order may not limit any of the petitioner's rights that were restricted as a collateral consequence of the person's criminal record, and such rights shall be restored upon expungement of the offense. No person whose records have been expunged may be found guilty of perjury or otherwise giving a false statement for failing to disclose the offense, however, the person must disclose the expunged offense when asked by a court or being charged with a criminal offense. The expunged offense may be considered a prior offense if the person is sentenced for committing a subsequent offense.

In addition, a person whose records have been expunged must disclose the offenses when necessary to complete any application for a license, certificate, or permit issued by the state to practice a profession, a gaming license, or paid or unpaid employment with a licensed gaming operation, the state lottery, or any emergency services providers, including any law enforcement agency.

SPONSOR: Riddle

HANDLER: Kehoe

Expunged offenses may not be used to automatically disqualify a person from such activities, but may be considered when denying employment, or a professional license, certificate, or permit.

Upon granting an order of expungement, the records and files maintained in any administrative or court proceeding in a municipal court, an associate circuit or circuit court division of the circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown.

If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court must dismiss the petition. Any person whose petition for expungement has been dismissed may not refile another petition until a year has passed since the date of filing for the previous petition.

A person may have records expunged by multiple courts, but may only have one expungement granted by each municipal and circuit court.

The clerk of the court is required to assess a \$100 surcharge on all petitions for expungement. Moneys collected are payable to the General Revenue Fund.

These provisions are similar to those in SB 559 (2012) and HB 75 (2011).

SECTION 488.5026 - INMATE SECURITY FUND

The act modifies the uses of money from a current court surcharge in criminal cases. The uses of moneys in the fund are modified to include the purchase of information sharing equipment to allow inmates, detainees or prisoners in a shorter term detention facility to be identified upon booking and tracked within certain law enforcement or criminal justice systems.

This provision is identical to one contained in CCS/HCS/SB 628 (2012).

SECTIONS 565.081 TO 565.083 - UTILITY AND CABLE WORKERS

Under current law, there are crimes in the first, second, and third degrees for assaulting law enforcement officers, corrections officers, emergency personnel, highway workers in construction zones and probation and parole officers. The act includes utility workers and cable workers to the list of those protected.

SECTIONS 571.020 TO 571.117 - WEAPONS

Under current law, a person commits a Class A misdemeanor if he or she possesses, manufactures, transports, repairs, or sells a switchblade knife. This act limits the prohibition to the possession, manufacture, transport, repair or sale of a switchblade knife when such uses violate federal law, and makes the crime a Class C felony.

Under current law, a person must be at least 21 years of age to apply for a concealed carry endorsement. This act allows the following types of people who are 18 years of age or older to apply for an endorsement: members of the United States Armed Forces or those honorably discharged from the armed forces. Such persons 18 years of age or older may also transport a concealable firearm in the passenger compartment of a motor vehicle without committing the crime of unlawful use of weapons.

This act allows holders of a concealed carry endorsement to briefly and openly display the firearm to

SPONSOR: Riddle

HANDLER: Kehoe

another person unless the display is in an angry or threatening manner and not in self defense.

Under this act, a person who has been adjudged mentally incapacitated or defective or involuntarily committed to a mental institution may petition for a removal of any disqualification on shipping, transporting, receiving, purchasing, possessing, or transferring a firearm imposed by federal or state law. The petition is to be filed in the circuit court in the petitioner's place of residence or where letters of guardianship or other disqualifying order was entered. Prior to issuing a determination, the court must hold a hearing on the matter. The court's decision is appealable, but a person may not file another petition for one year from the date of the court's denial.

The petition process under current law for those adjudged incapacitated or involuntarily committed who wish to purchase, possess, or transfer a firearm is repealed.

Training requirements for concealed carry endorsement applicants were increased in HB 294 (2011). This act adopts a grandfather clause for those who were issued a firearms safety training certificate prior to the date the standards were increased, so these certificate-holders can receive a concealed carry endorsement without having to retake a training course.

These provisions are similar to those in SB 489 (2012), and HCS/HBs 1319, 1045 & 1369 (2012).

SECTION 650.230 - PRESSURE VESSELS

Current law exempts certain-sized pressure vessels from regulation. The act modifies these exemptions.

SECTION 701.550 - ANEMOMETER TOWERS

The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given until January 1, 2014, to comply with the act's requirements. A violation of the act is a Class B misdemeanor.

These provisions are similar to those in HB 1251 (2012), SCS/HCS/HB 1623 (2012), HB 1909 (2012), and CCS/HCS/SS/SB 769 (2012).

The act includes an emergency clause for sections 320.106 to 320.136, relating to fireworks.

CHRIS HOGERTY/ERIKA JAQUES

SPONSOR: Torpey

HANDLER: Callahan

SCS/HCS/HBs 1659 & 1116 - The act authorizes the establishment of a land bank agency in Kansas City. This act also modifies provisions of law that apply to the sale of tax-delinquent property in certain first class counties and that govern land trusts in certain counties to provide for how these provisions will interact with land bank agency powers and operations.

The act authorizes Kansas City to create a land bank agency by adopting an ordinance or resolution.

SPONSOR: Torpey

HANDLER: Callahan

The board of commissioners of the land bank agency will have five, one member appointed by the county, one member appointed by the school district with the largest population in the county, and the remaining members appointed by Kansas City. Board members serve four year terms and may only be reimbursed for expenses.

All property held by a land trust that is within Kansas City is required to be transferred to the land bank, within a year after the city adopts the ordinance or resolution creating the land bank agency. Land bank property and income are exempt from state and local taxes.

The land bank has the power to borrow money, issue bonds, contract, invest money, and acquire, develop, demolish, rehabilitate, lease, sell, or otherwise dispose of real estate. The land bank does not have the power of eminent domain. To carry out its functions the land bank may hire staff, and contract with political subdivisions for staffing services. The act requires the land bank agency to have the approval of the municipality that created the land bank to issue bonds. Before the land bank can take certain actions, such as incurring debt, the action must be authorized by a majority of the entire board membership by role call vote.

The land bank agency is prohibited from selling more than five contiguous parcels to the same entity in the course of one year. The land bank agency is required to make the inventory of property held by the land bank available on the land bank agency website. If the municipality that creates the land bank agency establishes priorities for the use of property conveyed by the land bank agency, those priorities are required to be consistent with, and no more restrictive than, municipal planning and zoning ordinances. The land bank agency is required to accept written offers to purchase property when the offers are equal to or greater than the fair market value of the property. If the land bank rejects the offer, or does not respond within sixty days, the land bank agency's action is subject to judicial review under chapter 536. The land bank agency is required to reduce its requested price for property and advertise the discount publicly, if the land bank agency owns more than five parcels in a single city block and has not received a written offer to purchase any of those parcels in twelve months.

The land bank is authorized to acquire property by gift, transfer, exchange, foreclosure, or purchase. The land bank is prohibited from owning real estate outside the boundaries of Kansas City, but may accept transfers of real estate from political subdivisions.

If a land bank bids at a tax foreclosure sale in amount that equals the amount of the tax liens, plus interest and costs, the land bank may be sold the property. If property inside Kansas City has been offered for sale at three different tax sales and has not sold, it is automatically transferred to the land bank. The act limits the land bank agency's ability to make certain bids at a sheriff's foreclosure sale to bidding on property that is located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency.

After the land bank transfers property, for the next three years, the taxes on the real estate go to the land bank agency to fund its operations. The act also specifies how money from the sale of land bank property is distributed.

The land bank is subject to Missouri open meetings and open records laws.

Members of the board of the land bank and its employees are prohibited from having any interest in the land bank property, or from profiting from land bank operations.

SPONSOR: Torpey

HANDLER: Callahan

A land trust and the land bank agency are authorized to file a court petition to quiet title to several parcels of property in one petition. The act requires the court to hold a hearing within ninety days of filing the petition and issue its final judgment within one hundred twenty days.

This act is similar to SCS/SB 795 (2012) and provisions of HCS#2/SCS/SB 729 (2012), HCS/SCS/SB 692 (2012), and HCS/HB 1397 (2012).

EMILY KALMER

*** **HB 1661** ***

SPONSOR: Hoskins

HANDLER: Pearce

HCS/HB 1661 - This act specifies that the current state income tax deduction for a small business that create new jobs applies to a sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity that has fewer than fifty employees. When the small business is a type of business entity where taxation is passed through to the partners or shareholders, this deduction may be allocated to those individuals according to their agreement.

This act is identical to SB 882 (2012) and a provision of HB 1717 (2012).

EMILY KALMER

*** **HB 1680** ***

SPONSOR: Davis

HANDLER: Pearce

HB 1680 - This act changes the name of the Heroes at Home program to the Show-Me Heroes program. The program is expanded to include spouses of active duty United States military personnel and members of the United States military that have recently ended their service.

The Department of Economic Development will no longer be able to enter into contracts with qualified providers to operate the program and must operate through existing programs. Financial assistance may be provided to families facing a financial crisis from overdue bills regardless of cause.

The Department of Economic Development is given the power to create rules for the implementation of the Show-Me Heroes program.

This act is similar to SB 702 (2012).

MIKE HAMMANN

*** **HB 1731** ***

SPONSOR: Day

HANDLER: Crowell

SS/SCS/HCS/HB 1731 - This act modifies the use of gaming moneys.

For fiscal year 2013 and each fiscal year after that, the act modifies how money from the Gaming Commission Fund is allocated. This act removes the specific funding for the Early Childhood Development, Education and Care Fund from this fund, and provides the net proceeds of the fund remaining after distribution to the specified funds go to the Veterans' Commission Capital Improvement

SPONSOR: Day

HANDLER: Crowell

Fund. The Early Childhood Development, Education and Care Fund is to receive at least thirty-five million dollars from the Tobacco Master Settlement Agreement each year.

The amount of specified annual funding for the Missouri National Guard Trust Fund from the Gaming Commission Fund remains four million dollars. The general assembly may appropriate additional money from the Gaming Commission Fund to the Missouri National Guard Trust Fund, up to one million five hundred thousand dollars each year.

In addition to other statutory purposes, the Missouri Veterans' Commission may use the funds in the Veterans' Commission Capital Improvement Fund for administration of the Missouri Veterans' Commission.

This act prohibits colleges, universities, governmental entities, and quasi-governmental entities from establishing, operating, maintaining, offering incentives to participate in, or mandating participation in a quality rating system, training quality assurance system, or similar system for early childhood education, unless authority to operate, establish, or maintain the system is enacted into law. Quality ratings system or training quality assurance system is defined in the act. Colleges, universities, governmental entities, and quasi-governmental entities are prohibited from creating rules or establishing programs, policies, or guidelines to establish, operate, or maintain a quality rating system, training quality assurance system, or similar system for early childhood education. These prohibitions also apply to any system that links funding to a quality ratings system, awards higher child care subsidy payments to programs that achieve higher quality levels, or offer tax incentives or professional development opportunities tied to a tiered rating system. The act shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. The act also prohibits a course on quality rating systems or training quality assurance systems from being a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider. Any taxpayer or member of the General Assembly will have standing to enforce this act.

This act requires the Joint Committee on Education to develop a comprehensive funding formula for Missouri public institutions of higher education by December 31, 2013. The general assembly shall implement a funding formula beginning in fiscal year 2015.

This act has an emergency clause.

This act has a nonseverability clause.

This act is similar to SB 793 (2012).

EMILY KALMER

SPONSOR: Long

HANDLER: Ridgeway

SCS/HCS/HB 1758 - This act modifies provisions relating to parental relationships.

CUSTODY AND VISITATION RIGHTS FOR PERSONS WITH A PARENT/CHILD RELATIONSHIP

This act modifies provisions relating to child custody and visitation rights of a person who is not the biological or legal parent of a child with whom he or she has a parent/child relationship. This act allows such person to petition a court for an order establishing custody and visitation rights. The provisions of

SPONSOR: Long

HANDLER: Ridgeway

this act shall not be construed to affect the procedure for the termination of parental rights or to revive the rights of a natural parent whose rights have previously been terminated.

A petition may only be filed if at least one of the natural parents is deceased, at least one of the natural parents is unknown, the whereabouts of at least one of the natural parents is unknown and unascertainable for a period of one year, the parental rights of at least one biological parent have been terminated, or the remaining parent has not had an ongoing parent/child relationship with the minor child in question for a period of one year prior to the filing of the petition.

The petitioner shall establish by a preponderance of the evidence that an ongoing parent/child relationship exists or did exist. There shall be a rebuttable presumption that the biological or legal parents act in the best interests of the minor child, and this presumption can be rebutted using the preponderance of the evidence or the clear and convincing evidence standard.

If a court determines that a relationship exists between the minor child and the petitioner and the parental presumption has been rebutted, a court may grant a petitioner visitation or custody rights if it is in the child's best interests and:

- the natural parent is unfit, unsuitable, or unable to be a custodian;
- the welfare of the child requires the granting of such rights; or
- the natural parent is listed in the Child Abuse and Neglect Central Registry.

This act prohibits the parental presumption from being used in any action to modify a judgment granted under these provisions. SECTION 452.398

CUSTODY OR VISITATION ORDERS FOR MILITARY PARENTS

This act also provides that if a military parent is required to be separated from a child due to deployment, a court shall not enter a final order under the provisions of this act relating to the parent/child relationship until 90 days after the deployment ends. Deployment or the potential for future deployment of a military parent cannot constitute grounds sufficient to support a custody or visitation order under these provisions. If a parent is required to be separated from his or her child due to employment and the parent provides ongoing support, the separation cannot constitute grounds sufficient to support a custody or visitation order under these provisions. SECTION 452.398.13 AND 14

RACIAL CONSIDERATION IN ADOPTION PROCEEDINGS

This act provides that the race or ethnicity of the adoptive child, the child's biological parents or the prospective adoptive parents shall not be a consideration when determining the best interests of the child, the welfare of the child, the suitability or assessment of prospective adoptive parents or the home of the prospective adoptive parents in adoptive placements. As to any Native American child placed in protective custody, the division shall comply with current federal placement requirements. SECTION 453.005

This provision is identical to the perfected version of SB 711 (2012).

ADRIANE CROUSE

SPONSOR: Schad

HANDLER: Nieves

SPONSOR: Schad

HANDLER: Nieves

students.

COMPOSITION OF A BOARD OF ARBITRATION FOR A BOUNDARY LINE CHANGE: This act prohibits a current or retired school administrator from serving on a board of arbitration to determine whether to move a school district boundary line. (Section 162.431)

ASSIGNMENT OF A PUPIL TO ANOTHER DISTRICT BASED ON TRANSPORTATION

HARDSHIP: For any pupil who was assigned to another district based on a transportation hardship by the Commissioner of Education prior to August 28, 2012, the assignment will apply to the pupil's siblings and also remain in effect until the pupil completes the course of study in the receiving district. (Section 167.121)

ST. ALBANS, ST. ELIZABETH, GRAVOIS MILL: Currently, the Commissioner of Education may assign a pupil to another district based on an unusual or unreasonable transportation hardship. This act allows the parent or guardian of a child residing in St. Albans, St. Elizabeth, or Gravois Mill to apply, and requires the Commissioner to assign the pupil to another district, if the following conditions are met: the actual driving distance from the pupil's residence to the attendance center in his or her district of residence is at least seventeen miles by the shortest route; the attendance center to which the pupil would be assigned is at least seven miles closer in actual driving distance than the attendance center in the district of residence; and the pupil's attendance will not cause the classroom in the receiving district to exceed the number of students per class as determined by the receiving district. The commissioner must assign pupils in the order in which the applications are received.

For a pupil to be eligible to be assigned to another district, the pupil must have been enrolled in and attending a public school in his or her school district of residence. A pupil who has been paying tuition to attend a school district other his or her district of residence will also be eligible to apply to the Commissioner of Education for a transportation hardship assignment. Pupils who become eligible for kindergarten or first grade will be eligible to transfer. A pupil not enrolled in a public school district will become eligible to transfer after he or she enrolls in and attends a public school in the district of residence for a full school year.

The assignment will continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes the course of study in the receiving district. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of any future application will be discretionary. (Section 1)

MICHAEL RUFF

SPONSOR: Marshall

HANDLER: Schaaf

SS/SCS/HB 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878 - This act enacts several provisions relating to highway designations and special license plates.

SPC. JAMES BURNETT, JR. MEMORIAL HIGHWAY - This act designates a portion of Missouri Route 25 in Stoddard County from the city limits of Advance to one mile south of the city limits as the "Spc. James Burnett, Jr. Memorial Highway". This provision is identical to SB 754 (2012) (Section 227.395).

SGT. ISSAC B. JACKSON MEMORIAL HIGHWAY - The act designates a portion of Missouri Route

SPONSOR: Marshall

HANDLER: Schaaf

116 located in Clinton County as the "Sgt. Issac B. Jackson Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donation. This portion of the act is identical to SB 653(2012)(Section 227.307).

LCPL PATRICK W. SCHIMMEL MEMORIAL HIGHWAY - This act designates the portion of State Route C that crosses over U. S. Highway 79 in Lincoln County as the "LCPL Patrick W. Schimmel Memorial Highway". This provision is also contained in HB 1687 (2012) (Section 227.394).

STAFF SERGEANT NORMAN J. INMAN MEMORIAL HIGHWAY - This act designates a portion of State Highway 21 in Iron County as the "Staff Sergeant Norman J. Inman Memorial Highway". This provision is also contained in HB 1782 (2012)(Section 227.508).

TROOPER FRED F. GUTHRIE JR. MEMORIAL HIGHWAY - This act designates a portion of Interstate 29 in Platte County as the "Trooper Fred F. Guthrie Jr. Memorial Highway" (HB 1807)(section 227.510).

MATTHEW J. ENGLAND MEMORIAL HIGHWAY - This act designates a portion of U.S. Highway 160 in Ozark County as the "Matthew J. England Memorial Highway". The costs for erecting and maintaining the memorial highway shall be paid for by private donations (section 227.506). This provision is contained in HB 1156 (2012).

MISSOURI FOX TROTting HIGHWAY - This act designates a portion of Highway 5 between the city of Ava and Mansfield as the "Missouri Fox Trotting Highway". The costs of such designation shall be paid for by private donation. The portion of the act is identical to SB 831 and HB 1107 (2012)(Section 227.501).

BOB WATTS MEMORIAL BICYCLE & PEDESTRIAN BRIDGE - This act designates the pedestrian and bicycle path on the Heart of America Bridge in Kansas City as the "Bob Watts Memorial Bicycle & Pedestrian Bridge". This portion of the act is identical to SB 833 and HB 1261 (2012)(Section 227.503).

DARRELL B ROEGNER MEMORIAL HIGHWAY - This act designates a portion of 64/40 in St. Charles County shall be designated the "Darrell B Roegner Memorial Highway". Costs for such designation shall be paid by private donations. This portion of the act is identical to SB 847 and HB 1737 (2012)(Section 227.509).

HARRIETT WOODS MEMORIAL HIGHWAY - This act designates a portion of Interstate 170 in St. Louis County as the "Harriett Woods Memorial Highway". This provision is also contained in the perfected version of SB 767 (2012)(Section 227.514).

AMVETS MEMORIAL HIGHWAY - This act designates a portion of Route 94 in Callaway County as the "AMVETS Memorial Highway". This portion of the act is also contained in HB 1878 (2012)(section 227.512).

CHIEF OF POLICE JERRY E. HICKS MEMORIAL HIGHWAY - This act designates a portion of Highway 8 in St. Francois County as the "Chief of Police Jerry E. Hicks Memorial Highway" (section 227.505). This provision is also contained in HB 1221 (2012).

CHRISTOPHER S. KIT BOND HIGHWAY - This act designates a portion of Business Route 54 within

SPONSOR: Marshall

HANDLER: Schaaf

the city limits of Mexico as the "Christopher S. 'Kit' Bond Highway". This provision is contained in HB 1868 (2012)(Section 227.511).

MISSOURI JUNIOR GOLF FOUNDATION SPECIAL LICENSE PLATES - This act allows motorists to obtain Missouri Junior Golf Foundation special license plates. In order to obtain Missouri Junior Golf Foundation license plates, a motorist must pay a \$25 emblem-used contribution fee to the Missouri Junior Golf Foundation. After obtaining an emblem-use authorization statement from the Missouri Junior Golf Foundation, the motorist must pay a \$15 fee to the Department of Revenue in addition to regular registration fees. A motorist who was previously issued Missouri Junior Golf Foundation plates and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued new plates which do not bear the Missouri Junior Golf Foundation's emblem. This provision may be found in SB 441 (2012)(Section 301.473).

CASS COUNTY - THE BURNT DISTRICT SPECIAL LICENSE PLATE - This act modifies provisions relating to the "CASS COUNTY - THE BURNT DISTRICT" special license plate. Under current law, 80% of the \$25 annual contribution fee is distributed to the Cass County public safety and 20% of the fee is distributed to the Cass County parks and recreation department. Under the terms of the act, the distribution of the annual contribution fee is modified so that 70% of the fee is distributed to public safety, 15% is distributed to the Cass County Historical Society, and 15% is distributed to the Cass County parks and recreation department.

The act further specifies that prior to the issuance of the specialty personalized plate, the Department of Revenue must be in receipt of an application as prescribed by the department director and be accompanied by a list of at least 200 potential applicants, the proposed art design for the specialty plate, and an application fee not to exceed \$5,000. The act provides that the special license plate shall be redesigned unless the organization pays the department director in advance for all redesigned plate fees. This provision is contained in HB 1269 (2012)(section 301.3161).

I HAVE A DREAM SPECIAL LICENSE PLATES - This act allows motorists to obtain "I HAVE A DREAM" special license plates after making an annual contribution of \$25 to the Martin Luther King Jr. State Celebration Commission Fund. The act requires all contributions be credited to the Martin Luther King Jr. State Celebration Commission Fund. Monies in the fund shall be used for the sole purpose of funding appropriate activities for the recognition and celebration of Martin Luther King, Jr. Day in Missouri. Upon payment of the \$25 contribution to the Martin Luther King Jr. State Celebration Commission Fund, the payment of a \$15 fee in addition to regular registration fees, and the presentment of other legal documents, the director shall issue to the vehicle owner the "I HAVE A DREAM" special license plates. The act requires the director to consult with the Martin Luther King Jr. State Celebration Commission and the Office of Administration when formulating the design for the "I HAVE A DREAM" special license plate. This provision may be found in SB 528 (2012)(Section 301.3165).

PONY EXPRESS SPECIAL LICENSE PLATES - This act allows motorists to obtain "PONY EXPRESS" specialty license plates under certain conditions. This provision is also contained in HB 1864 (2012)(section 301.4042).

NAVY CROSS SPECIAL LICENSE PLATES - This act allows recipients of Navy Cross medals to receive Navy Cross special license plates under certain conditions. This provision is contained in HB 1093 and SB 767 (2012) (Section 301.3052).

SPONSOR: Marshall

HANDLER: Schaaf

AMERICAN RED CROSS LICENSE PLATES - This act allows persons to obtain Missouri Chapter American Red Cross specialty personalized license plates. In order to obtain the special license plate, a person must pay a \$25 emblem-use contribution to the American Red Cross Trust Fund, submit an application to the Department of Revenue accompanied by an emblem-use authorization statement, and pay a \$15 fee in addition to regular registration fees. The special license plate shall bear the words "PROUD SUPPORTER" at the bottom of the license plate. Prior to the issuance of the specialty plate, a list of at least 200 potential applicants for the plate, the proposed design of the plate, and an application fee not to exceed \$5,000 must be submitted to the Department of Revenue (section 301.4040). This provision is also contained in HB 1641 (2012).

GO TEAM USA LICENSE PLATES - This act allows motorists to obtain United States Olympic Committee special license plates under certain conditions. In order to obtain the special license plates, motorists must pay a \$25 emblem use contribution to the United States Olympic Committee and pay a \$15 fee in addition to regular registration fees. The \$25 emblem-use contribution must be split equally between the Springfield Olympic community development program and the United States Olympic Committee. The special license plate shall bear the words "GO TEAM USA" at the bottom of the plate. Prior to the issuance of the specialty plate, a list of at least 200 potential applicants for the plate, the proposed design of the plate, and an application fee not to exceed \$5,000 must be submitted to the Department of Revenue (Section 301.4039). This provision is also contained in HB 1668 (2012).

BREAST CANCER AWARENESS LICENSE PLATES - This act modifies the law with respect to the Breast Cancer Awareness Trust Fund and the issuance of Breast Cancer Awareness special license plates. Under the act, moneys transferred to the trust fund shall be distributed by the Director of Revenue to the Department of Health and Senior Services (current law directs it to the Friends of Missouri Women's Council). The act also modifies the Breast Cancer Awareness license plate statute by removing all references to the Missouri Women's Council. The act requires the \$25 annual contribution for the Breast Cancer Awareness license plate to be deposited in the Missouri Public Health Services Fund to support breast cancer awareness activities conducted by the Department of Health and Senior Services. These provisions are contained in SB 705 (2012)(Sections 143.1009 and 301.3084).

Several of the special license plate provisions and memorial highway designations may also be found in the perfected version of SB 767 et al (2012).

NATIONAL WILD TURKEY FEDERATION SPECIAL LICENSE PLATE - This act allows for a special license plate for a member of the National Wild Turkey Federation. To obtain the plate, a person must submit an application to the director accompanied by an emblem-use authorization statement along with an additional \$15 fee. Any person who was previously issued a federation plate and who does not provide an emblem-use authorization statement at a subsequent time of registration will be issued a new plate which does not bear the federation's emblem (Section 301.4044).

NRA SPECIALIZED LICENSE PLATES - This act allows any member of the National Rifle Association to obtain a specialized license plate bearing the organization's official emblem after paying a \$25 emblem-use fee to the NRA, a specialized plate of \$15 to the Department of Revenue, and the payment of regular registration fees (Section 301.4045).

MUNICIPALLY OWNED VEHICLES - This act modifies the provision of law which exempts municipally owned vehicles from the state registration laws and the requirement that vehicles display plates. Under current law, municipal vehicles do not have to display a plate provided the vehicles display

SPONSOR: Marshall

HANDLER: Schaaf

(in specific lettering) the name of the municipality, the department, and a distinguishing number. This act gives the municipality the option of having a plate on the vehicle in lieu of the lettering (section 301.260) (SA 2). This provision may also be found in the truly agreed to version of HB 1402 (2012).

DON'T TREAD ON ME LICENSE PLATES - This act modifies the laws regarding the "Don't Tread on Me" special license plate. The act requires a person applying for the plate to pay a \$15 fee in addition to the regular registration fees and to present any documents required by law. The act further specifies that no additional fee can be charged for the personalization of the special license plates. The act also specifies the detailed design of the plate by going into a painstaking description of what the Gadsen snake must look like and a description of the grass of which it sits (Section 301.3163). This provision may be found in HB 1141 (2012) (SA 3).

RECREATIONAL OFF-HIGHWAY VEHICLES - This act modifies the definition of recreational off-highway vehicle as found in Section 301.010. The act modifies the definition by increasing the width and weight limit of the vehicle. The width of a recreational off-highway vehicle is increased from 60 inches to 64 inches and the unladen dry weight of the vehicle is increased from 1,850 pounds to 2,000 pounds (Section 301.010). This provision is also contained in SCS/HCS/HB 1640 (2012).

Under the act, recreational off-highway vehicles shall not be operated on highways except for:

- (1) Governmental owned and operated recreational off-highway vehicles for official use;
- (2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premise purposes;
- (3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. This exception shall not authorize the operation in a municipality unless the municipality authorizes the operation by permit;
- (4) Recreational off-highway vehicles operated occasionally by handicapped persons for short distances only on the state secondary roads;
- (5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of \$15 may be collected and retained by cities for such permits;
- (6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of \$15 may be collected and retained by the counties for such permits.

No person shall operate a recreational off-highway vehicle within any stream or river except by an operator who owns the property or has permission to be on the property on which the waterway flows through or when fording a low-water crossing.

A person operating a recreational off-highway vehicle on a highway shall have a valid operator's or chauffeur's license.

Under the terms of the act, an individual shall not operate a recreational off-highway vehicle upon on

SPONSOR: Marshall

HANDLER: Schaaf

a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover (Section 304.033)(SA 1). The recreational off-highway vehicle provisions may also be found in the truly agreed to versions of SB 480 and HB 1402 (2012).

STEPHEN WITTE

*** **HB 1818** ***

SPONSOR: Schad

HANDLER: Kehoe

HCS/HB 1818 - This act modifies the definition of residential property for property tax purposes to include time-share units, unless they are rented. Where time-share units are rented, the county assessor is required to consider only the percentage of use subject to sales tax as commercial property.

This provision is identical to a provision of SS/SCS/HB 1170 (2012), similar to a provision of HCS/SB 591 (2012) and a provision of SCS/HCS/HB 1623 (2012).

This act also requires county assessors to consider foreclosures and bank sales when establishing the value of parcels of real property for property tax purposes.

This provision is identical to a provision of SS/SCS/HB 1170 (2012), SCS/SB 510 (2012), and similar to SB 52 (2011) and provisions contained within SB 671 (2010).

EMILY KALMER

*** **HB 1820** ***

SPONSOR: Asbury

HANDLER: Munzlinger

SS/SCS/HB 1820 - This act authorizes the Governor to convey several pieces of real property to various entities. The act also authorizes the Governor to transfer several other pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission. Several of these provisions are also contained in the perfected version of SB 665 (2012).

The act contains an emergency clause.

STEPHEN WITTE

*** **HB 1827** ***

SPONSOR: Richardson

HANDLER: Schaefer

SCS/HCS/HB 1827 - This act establishes the Missouri Electronic Prior Authorization Committee in order to facilitate, monitor, and report to the General Assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Prior authorization generally relates to the process of obtaining prior approval from an insurer for certain services or medications.

Such Missouri-based efforts to be analyzed by the committee include the Missouri-based electronic prior authorization pilot program established under this act and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards. The committee shall advise the

SPONSOR: Richardson

HANDLER: Schaefer

General Assembly as to whether there is a need for administrative rules to be promulgated by the Department of Insurance, Financial Institutions and Professional Registration (Department of Insurance) as soon as practically possible.

The director of the Department of Insurance shall be chair of the committee which shall also include the director of the Department of Social Services as a member of the committee. The list of the other members to be appointed to the committee are specified under the act.

The full list of the duties of the committee are prescribed under the act but include preparing a report at the end of each calendar year to be distributed to the General Assembly and Governor with a summary of the committee's progress and plans for the next calendar year. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards or the provisions of this act terminate, whichever is sooner.

Upon the adoption of national electronic prior authorization standards by the NCPDP, the committee shall prepare a final report to be distributed to the General Assembly and Governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated in order to make those standards effective as soon as practically possible, and advise the General Assembly and Governor if there are any legislative actions necessary to the furtherance of that end.

The Department of Insurance and the Missouri electronic prior authorization committee shall recruit a Missouri-based pharmacy benefits manager (PBM) doing business nationally to volunteer to conduct an electronic prior authorization pilot program in Missouri. The PBM conducting the pilot program shall ensure that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this act shall be operational by January 1, 2014. The department and the committee may provide advice or assistance to the PBM conducting the pilot program but shall not maintain control or lead with the direction of the pilot program.

This act contains a six-year sunset provision.

This provision is identical to a provision in SS/SCS/HCS/HB 1563 (2012) and substantially similar to SB 812 (2012).

ADRIANE CROUSE

SPONSOR: Redmon

HANDLER: Munzlinger

HCS/HB 1900 - This act restructures numerous statutes to reflect certain executive branch reorganizations as well as modifies provisions relating to investments in Iran's energy sector, voluntary annexation, individuals with disabilities and tax increment financing.

The Joint Committee on Legislative Research is authorized to incorporate statutorily authorized executive department reorganization. Such authority is limited to name changes and movement of portions or statutory sections to the appropriate chapters of law.

The act modifies a number of provisions in law to rename the division of Design and Construction as the Division of Facilities Management, Design and Construction and the Division of Data Processing and Telecommunications as the Information Technology Services Division. The Missouri Minority Business

SPONSOR: Redmon

HANDLER: Munzlinger

Development Commission is renamed as the Missouri Minority Business Advocacy Commission. The Office of Administration, rather than the Department of Economic Development, will provide support for the Commission. The act repeals a provision requiring the Department of Economic Development and the Office of Administration to develop a plan to increase procurements from minority businesses by all state departments and submit that plan to the Governor by July 1994 and an outdated provision requiring the Missouri Minority Advocacy Commission to submit a plan to increase procurement from minority businesses by state departments and recommended legislation to the General Assembly.

Certain duties of the Commissioner of Education and the State Board of Education with regard to the A+ program are transferred to the Department of Higher Education. The act further transfers certain duties regarding the Minority Teaching Scholarship from the Department of Elementary and Secondary Education to the Department of Higher Education.

The act moves the Missouri Assistive Technology Advisory Council from the Office of Administration to the Department of Elementary and Secondary Education. The Life Sciences Research Board is moved from the Office of Administration to the Department of Economic Development as a type III agency, rather than a type III division.

Any person may appeal to the Administrative Hearing Commission any decision made by the Department of Public Safety regarding a claim filed on or after August 28, 2012, for compensation to victims of crime and specifies a person's rights regarding the appeal.

This act specifies that a petition requesting a voluntary annexation needs to be notarized instead of verified. Any action to invalidate a previous annexation must be brought within three years of the date of the adoption of the annexation ordinance, except for an action to deannex an area for failure of the annexing municipality to provide required services to the area within three years. In that situation, the action must be brought within four years from the effective date of the annexation. (Sections 71.012, 71.014, and 71.015). This provision is identical to HB 1573 (2012).

This act creates the "Iran Energy Divestment Act" which bars entities that invest in the energy sector in Iran from making contracts in excess of \$1 million with the state and political subdivisions. Entities wishing to make public contracts shall certify that they are not investors in the energy sector in Iran. Upon a determination by the Attorney General, entities that falsely certify shall be subject to a penalty of \$250,000. In addition, contracts shall be terminated and the entity shall be ineligible to bid on and enter into public contracts for 3 years. (Section 34.225). This provision is similar to HCS/SCS/SB 722 (2012).

This act modifies provisions relating to individuals with disabilities.

YOUTH WITH DISABILITIES WORK GROUP (Section 161.870)

This act requires, by September 1, 2012, the Department of Elementary and Secondary Education to establish a work group to assess the available resources that youth with disabilities need for effective work experiences. The work group shall review all interagency coordination of services for employers matching services to ensure the services adequately meet the needs of youth and young adults with disabilities who seek employment and need job placement assistance. The goal of the work group shall be to evaluate the current efforts and available resources and to promote the involvement of stakeholders when planning and implementing services to provide successful transitions to employment, lifelong learning, and quality of life. The group shall focus on secondary students with disabilities, adults with disabilities, and others who experience barriers to successfully completing school.

SPONSOR: Redmon

HANDLER: Munzlinger

The group shall:

- assess the strengths and where improvements need to be made regarding transition services, instruction, and experiences that reinforce core curriculum concepts and skills that lead to gainful employment;
- determine if any additional state partnerships through nonfinancial interagency agreements are necessary to enhance the employment potential of individuals with disabilities;
- focus on developing careers for disabled youths to prevent economic and social dependence on the resources of state and community agencies.

The department shall submit recommendations based on the findings of the work group to the General Assembly prior to January 1, 2013. The work group members shall be chosen and administered by the Commissioner of Education within the Department and shall utilize existing state agency and community personnel and human resources.

These provisions shall terminate on January 1, 2013.

This provision is substantially similar to HB 1886 (2012).

PUBLIC ACCOMMODATIONS AND SERVICE DOGS FOR INDIVIDUALS WITH MENTAL DISABILITIES (Sections 209.150, 209.152, 209.200)

Under this act an individual with mental disabilities is added to the list of people who must be afforded the same rights as those with physical disabilities to use streets, highways, sidewalks, public buildings, public facilities, and other public places. An individual with mental disabilities is also entitled to equal accommodation from common carriers, airlines, motor vehicles, trains, buses, taxis, and any other public conveyances or modes of transportation, as well as hotels, places of public accommodation, amusement or resort, and other places to which the general public is invited. This act also provides that persons with mental disabilities shall have the right to be accompanied by a guide, hearing, or service dog in any of these places without being required to pay an extra charge, provided that such person shall be liable for any damages done to the premises or facilities by such dog.

The term "service dog" is revised to mean a search and rescue dog that is trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks include, but are not limited to, helping the person from becoming lost, retrieving items or carrying supplies. A member of a service dog team has the right to be accompanied by the dog while the dog is in training and shall be liable for any damages to a facility caused by the dog training. A service dog team consists of a trained service dog, a person with a disability or child, and an adult person who has been trained to handle the dog.

These provisions are identical to SCS/SB 809 (2012) and substantially similar to HB 1436 (2012) and HB 513 (2011).

PROFESSIONAL THERAPY SERVICE DOGS (Section 209.200)

A professional therapy dog is added to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person. A professional therapy dog is defined as a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the

SPONSOR: Redmon

HANDLER: Munzlinger

direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession but does not include dogs used by volunteers in visitation therapy.

This provision is identical to HB 1432 (2012).

INJURY OR HARASSMENT OF SERVICE DOGS (Section 209.202)

Under current law, any person who knowingly, intentionally, or recklessly causes substantial physical injury to or death of a service dog is guilty of a class A misdemeanor. This act repeals this provision and specifies that any person who, with reckless disregard, injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal shall be guilty of a class A misdemeanor. (Section 209.202.1)

Under current law, any person who knowingly or intentionally fails to exercise sufficient control over an animal he or she owns or controls to prevent substantial physical injury to or the death of a service dog, or the inability to function as a service dog as a result, is guilty of a class A misdemeanor. This act repeals this provision and specifies that any person who, with reckless disregard, interferes with or permits a dog that he or she owns or is in the immediate control of to interfere with the use of a service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the service animal or its user is guilty of a class B misdemeanor. Any second or subsequent violation of this provision is a class A misdemeanor.

This act repeals the provisions relating to harassing or chasing a service dog and specifies that any person who intentionally injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal is guilty of a class D felony. (Section 209.202.4)

This act repeals current provisions allowing for a cause of action by an owner of a service dog to recover civil damages and specifies that any person who is convicted for violating these provisions shall make full restitution for all damages that arise out of or are related to the offense. Restitution includes, but is not limited to, the value of the animal, replacement and training expenses, veterinary and other medical and boarding expenses for the animal, medical expenses for the owner, and lost wages or income incurred during the period the owner is without the services of the animal.

These provisions are identical to HB 1413 (2012).

EMPLOYMENT SECURITY LAWS (Section 288.034)

This term defines "employment" for the purpose of employment security law to not mean in-home or community-based services performed by a provider contracted to provide the services for the clients of a county board for developmental disability services organized and commonly known as "SB 40 boards." In these instances, the vendor shall be responsible for the payroll and fringe benefits for the consumer. If an employment relationship exists between the provider and any worker, the services shall be deemed to be employment if the provider is a non-profit entity, governmental entity or federally recognized Indian tribe.

This provision is similar to HB 1794 (2012).

ACCESSIBLE PARKING (Section 301.143).

Under current law, any parking lot that is restriped or constructed shall have one in every four

SPONSOR: Redmon

HANDLER: Munzlinger

accessible spaces served by an access aisle that is a minimum of 96 inches wide and designated "lift van accessible only." This act specifies that when any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with 25 or more parking spaces, the lot and accessible signs shall meet the minimum requirements of the federal American with Disabilities Act for the number of required accessible parking spaces. However, not less than one must be served by an access aisle that is a minimum of 96 inches wide and designated "van accessible." If any accessible space is 132 inches wide or wider, the adjacent access aisle shall be a minimum of 60 inches wide. If any accessible space is less than 132 inches wide, the adjacent aisle shall be a minimum of 96 inches wide.

This provision is identical to HCS/HB 1738 (2012).

BRAIN INJURY FUND (Section 304.028)

This act adds community-based consumer services in comprehensive brain injury day rehabilitation therapy, vocational, and home and community support to the list of services for which the Department of Health and Senior Services shall expend funds from the Brain Injury Fund to individuals with brain injury. The department, in cooperation with the Department of Social Services, shall seek a federal waiver from the federal Department of Health and Human Services to allow moneys in the fund to be used for brain injury services under the MO HealthNet Program. Upon the granting of a waiver, 50% of all moneys in the fund shall be designated as MO HealthNet federal match moneys.

Any approved federal waiver shall provide parity in funding for each eligible program service area to create a balance for access to all brain injury services. A 10-member committee shall be established to develop service descriptions, regulations, and parity of funding for the eligible service areas, as needed. The committee shall meet at least annually to review services using the most current Department of Health Senior Services brain injury needs assessments and to address any modifications needed in the program services to ensure services are meeting the needs of brain injury consumers.

EMPLOYEE DISQUALIFICATION LIST (Section 660.315)

This act provides that any home care employer required to deny employment to an applicant or discharge an employee as a result of information obtained through a portion of the background screening and employment eligibility determination process required under the Family Care Safety Registry provisions shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise.

The employer shall also not be charged for unemployment insurance benefits based on wages paid to the employee or based on an employer making payments in lieu of contributions for work prior to the date of discharge, if the employer terminated the employee because the employee:

- (1) Has pled guilty to or nolo contendere or been found guilty in this state or any other state of a crime, which if committed in Missouri would be a class A or B felony violation of certain specified crimes such as offenses against the persons, sexual offenses and robbery or burglary offenses;
- (2) Was placed on the employee disqualification list maintained by the Department of Health and Senior Services, after the date of hire;
- (3) Was placed on the employee disqualification list maintained by the Department of Mental Health, after the date of hire;
- (4) Is listed on any of the background check lists in the Family Care Safety Registry; or
- (5) Has a disqualifying finding or was denied a good cause waiver under the employee disqualification list maintained by the Department of Health and Senior Services.

SPONSOR: Redmon

HANDLER: Munzlinger

The provisions relating to individuals with disabilities are similar to SS/SCS/HCS/House 1854 (2012).

TAX INCREMENT FINANCING
(Section 99.845)

This act adds county sales taxes for emergency communications systems to the list of taxes that may not be deposited into a special allocation fund for the purposes of tax increment financing.

This provision is similar to a provision of SS/SCS/HB 1170 (2012).

JIM ERTLE

SPONSOR: Hoskins

HANDLER: Pearce

HB 1909 - This act modifies provisions of law relating to aviation.

(Section 144.805)

This act extends the expiration date from December 31, 2013, to December 31, 2023, on provisions regarding the payment by common carriers of sales and use tax on aviation fuel and tangible personal property.

This provision is identical to a provision of HB 1504 (2012), SB 740 (2012), HB 1431 (2012) and SS#2/SCS/HCS/HB 1623 (2012).

(Sections 430.020 and 430.082)

Currently, persons who perform labor on aircrafts and their parts and equipment who obtain a written memorandum of the work or material furnished signed by the owner, have a lien on such property. This act allows the memorandum to be signed by the authorized agent of the owner, or person in lawful possession of the property.

Currently, persons who perform labor on aircrafts, at a written request of an owner that contains the maximum amount to be charged for labor, has a lien on the property. This act allows persons who perform labor on parts or equipment of aircrafts to have a lien on the item in such an instance.

Currently, aircraft liens are required to be filed 30 days after surrendering the property. This act extends that time period to 180 days.

This provision is similar to SCS/SB 485 (2012) and SB 159 (2011).

(Section 701.550)

The act requires certain safety marking of anemometer towers (wind speed testing towers) that are located outside of city limits and that are 50 feet or more in height. The top third of any such tower must be striped orange and white, each outside guy wire must have two attached marker balls, the vegetation around guy wire anchor points must contrast with surrounding vegetation, and guy wires must have safety sleeves.

The act does not supercede any other state or federal law that regulates the appearance of the

SPONSOR: Hoskins

HANDLER: Pearce

anemometer tower. Owners of anemometer towers in existence as of August 28, 2012, are given until January 1, 2014, to comply with the act's requirements.

A violation of the act is a Class B misdemeanor.

This provision is similar to SB 769 (2012) and SS#2/SCS/HCS/HB 1623 (2012).

EMILY KALMER

SPONSOR: Silvey

HANDLER: Schaefer

SS/HCS/HB 2001 - Public Debt

.	Governor	House
GR	\$ 45,168,930	\$ 45,168,930
FEDERAL	0	0
OTHER	2,425,406	2,425,406
.		
TOTAL	\$ 47,594,336	\$ 47,594,336

.	Senate	Final
GR	\$ 45,168,930	\$ 45,168,930
FEDERAL	0	0
OTHER	2,425,406	2,425,406
.		
TOTAL	\$ 47,594,336	\$ 47,594,336

DAN HAUG

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2002 - Elementary and Secondary Education

.	Governor	House
GR	\$2,943,476,585	\$2,933,918,260
FEDERAL	977,388,317	1,077,754,530
OTHER	1,337,900,645	1,357,815,878
.		
TOTAL	\$5,258,765,547	\$5,369,488,668

.	Senate	Final
GR	\$2,919,537,056	\$2,917,473,811
FEDERAL	1,077,562,717	1,077,754,530
OTHER	1,361,679,660	1,363,225,930
.		

*** HB 2002 *** (Cont'd)

SPONSOR: Silvey

HANDLER: Schaefer

TOTAL	\$5,358,779,433	\$5,358,454,271
DAN HAUG		

*** HB 2003 ***

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2003 - Higher Education

.	Governor	House
GR	\$ 780,933,358	\$ 849,932,626
FEDERAL	6,271,020	7,064,316
OTHER	285,194,530	345,081,189
.		
TOTAL	\$1,072,398,908	\$1,202,078,131

.	Senate	Final
GR	\$ 848,452,626	\$ 850,432,626
FEDERAL	7,063,357	7,064,316
OTHER	345,078,486	345,081,189
.		
TOTAL	\$1,200,594,469	\$1,202,578,131
DAN HAUG		

*** HB 2004 ***

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2004 - Revenue & Transportation

.	REVENUE	
.	Governor	House
GR	\$ 90,149,786	\$ 87,032,730
FEDERAL	6,869,632	8,350,708
OTHER	355,101,450	355,221,990
.		
TOTAL	\$ 452,120,868	\$ 450,605,428

.	Senate	Final
GR	\$ 84,717,484	\$ 84,888,008
FEDERAL	8,348,610	8,350,708
OTHER	355,117,724	355,171,990
.		
TOTAL	\$ 448,183,818	\$ 448,410,706

.	TRANSPORTATION
---	----------------

SPONSOR: Silvey

HANDLER: Schaefer

.	Governor	House
GR	\$ 9,094,129	\$ 9,594,129
FEDERAL	107,939,794	174,180,128
OTHER	1,960,187,389	1,966,258,703
.		
TOTAL	<u>\$2,077,221,312</u>	<u>\$2,150,032,960</u>

.	Senate	Final
GR	\$ 9,344,129	\$ 9,344,129
FEDERAL	174,259,045	174,260,128
OTHER	1,965,554,265	1,966,258,703
.		
TOTAL	<u>\$2,148,157,439</u>	<u>\$2,149,862,960</u>

DAN HAUG

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2005 - Office of Administration

OFFICE OF ADMINISTRATION

.	Governor	House
GR	\$112,519,746	\$ 112,775,780
FEDERAL	74,232,623	81,373,009
OTHER	56,092,938	59,373,932
.		
TOTAL	<u>\$242,845,307</u>	<u>\$ 253,552,721</u>

.	Senate	Final
GR	\$111,886,620	\$ 112,500,194
FEDERAL	81,206,130	84,423,003
OTHER	67,570,128	67,686,780
.		
TOTAL	<u>\$260,662,872</u>	<u>\$ 261,609,983</u>

EMPLOYEE BENEFITS

.	Governor	House
GR	\$496,403,471	\$497,422,879
FEDERAL	179,033,930	179,160,497
OTHER	154,974,710	155,462,297
.		
TOTAL	<u>\$830,412,111</u>	<u>\$832,045,673</u>

SPONSOR: Silvey

HANDLER: Schaefer

.	Senate	Final
GR	\$490,833,386	\$492,059,783
FEDERAL	178,696,008	179,160,497
OTHER	157,067,980	157,012,713
.		
TOTAL	\$826,597,374	\$828,232,993

DAN HAUG

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2006 - Agriculture, Natural Resources & Conservation

.	AGRICULTURE	
.	Governor	House
GR	\$ 14,567,578	\$ 14,596,437
FEDERAL	4,488,200	4,500,772
OTHER	20,667,876	21,316,025
.		
TOTAL	\$ 39,723,654	\$ 40,413,234

.	Senate	Final
GR	\$ 13,813,644	\$ 14,596,437
FEDERAL	4,490,863	4,500,772
OTHER	22,275,080	21,545,025
.		
TOTAL	\$ 40,579,587	\$ 40,642,234

.	NATURAL RESOURCES	
.	Governor	House
GR	\$ 9,459,195	\$ 9,366,601
FEDERAL	44,261,056	74,450,189
OTHER	253,337,611	509,094,332
.		
TOTAL	\$307,057,862	\$592,911,122

.	Senate	Final
GR	\$ 9,414,685	\$ 9,466,601
FEDERAL	74,303,605	74,450,189
OTHER	508,652,729	508,890,380
.		

SPONSOR: Silvey

HANDLER: Schaefer

TOTAL	\$592,371,019	\$592,897,170
-------	---------------	---------------

. CONSERVATION

.	Governor	House
GR	\$ 0	\$ 0
FEDERAL	0	0
OTHER	146,151,362	146,827,160
.		
TOTAL	<u>\$146,151,362</u>	<u>\$146,827,160</u>

.	Senate	Final
GR	\$ 0	\$ 0
FEDERAL	0	0
OTHER	146,093,741	146,827,160
.		
TOTAL	<u>\$146,093,741</u>	<u>\$146,827,160</u>

DAN HAUG

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2007 - Economic Development, Insurance & Labor and Industrial Relations

. ECONOMIC DEVELOPMENT

.	Governor	House
GR	\$ 39,439,579	\$ 39,994,078
FEDERAL	183,013,606	271,931,564
OTHER	54,269,379	52,695,047
.		
TOTAL	<u>\$276,722,564</u>	<u>\$364,620,689</u>

.	Senate	Final
GR	\$ 32,088,032	\$ 36,566,668
FEDERAL	271,628,060	271,931,564
OTHER	54,532,749	54,675,047
.		
TOTAL	<u>\$358,248,841</u>	<u>\$363,173,279</u>

. INSURANCE

.	Governor	House
GR	\$ 0	\$ 0

*** HB 2007 *** (Cont'd)

SPONSOR: Silvey

HANDLER: Schaefer

FEDERAL	3,109,290	3,666,798
OTHER	37,064,622	37,007,548
.		
TOTAL	\$ 40,173,912	\$ 40,674,346

.	Senate	Final
GR	\$ 0	0
FEDERAL	2,658,810	2,666,798
OTHER	37,049,390	37,007,548
.		
TOTAL	\$ 39,708,200	\$ 133,947,398

. LABOR AND INDUSTRIAL RELATIONS

.	Governor	House
GR	\$ 1,749,360	\$ 1,601,120
FEDERAL	48,557,107	56,001,010
OTHER	62,504,014	66,679,664
.		
TOTAL	\$112,810,481	\$124,281,794

.	Senate	Final
GR	\$ 1,723,635	\$ 1,744,718
FEDERAL	65,273,766	65,523,016
OTHER	103,645,614	66,679,664
.		
TOTAL	\$170,643,015	\$667,334,020

DAN HAUG

*** HB 2008 ***

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2008 - Public Safety

.	Governor	House
GR	\$ 83,512,373	\$ 83,433,751
FEDERAL	117,239,497	113,723,049
OTHER	368,438,313	370,968,716
.		
TOTAL	\$569,190,183	\$572,125,516

.	Senate	Final
GR	\$ 72,582,338	\$ 62,942,001
FEDERAL	117,634,427	117,793,049

***** HB 2008 *** (Cont'd)**

SPONSOR: Silvey

HANDLER: Schaefer

OTHER	377,184,815	378,735,838
.		
TOTAL	<u>\$567,401,580</u>	<u>\$667,334,020</u>
DAN HAUG		

***** HB 2009 *****

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2009 - Corrections

.	Governor	House
GR	\$606,722,529	\$607,965,605
FEDERAL	10,027,586	10,253,537
OTHER	53,501,117	53,083,675
.		
TOTAL	<u>\$672,251,229</u>	<u>\$671,302,817</u>

.	Senate	Final
GR	\$601,834,021	\$602,496,808
FEDERAL	10,203,790	10,253,537
OTHER	56,063,594	54,583,675
.		
TOTAL	<u>\$668,101,405</u>	<u>\$667,334,020</u>
DAN HAUG		

***** HB 2010 *****

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2010 - Mental Health & Health

.	MENTAL HEALTH	
.	Governor	House
GR	\$ 600,827,041	\$ 599,065,245
FEDERAL	672,934,552	730,106,688
OTHER	43,427,054	54,716,177
.		
TOTAL	<u>\$1,317,188,647</u>	<u>\$1,383,888,110</u>

.	Senate	Final
GR	\$ 600,393,725	\$ 601,992,619
FEDERAL	736,128,487	736,276,639
OTHER	54,833,178	54,835,177
.		
TOTAL	<u>\$1,391,355,390</u>	<u>\$1,393,104,435</u>

SPONSOR: Silvey

HANDLER: Schaefer

.	HEALTH	
.	Governor	House
GR	\$ 275,383,403	\$ 274,874,015
FEDERAL	732,526,785	742,301,052
OTHER	18,627,990	18,952,087
.		
TOTAL	\$1,026,538,178	\$1,036,127,154
.	Senate	Final
GR	\$ 271,177,652	\$ 270,841,030
FEDERAL	749,623,630	749,850,856
OTHER	22,914,285	22,952,087
.		
TOTAL	\$1,043,715,567	\$1,043,643,973
DAN HAUG		

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2011 - Social Services

.	Governor	House
GR	\$1,554,666,906	\$1,497,536,860
FEDERAL	4,146,072,503	4,289,066,411
OTHER	2,305,366,217	2,407,772,932
.		
TOTAL	\$8,006,105,626	\$8,194,376,203
.	Senate	Final
GR	\$1,487,442,123	\$1,499,368,101
FEDERAL	4,284,897,841	4,291,533,147
OTHER	2,412,946,606	2,433,857,166
.		
TOTAL	\$8,185,286,570	\$8,224,758,414
DAN HAUG		

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2012 - Elected Officials, Judiciary, Public Defender & General Assembly

ELECTED OFFICIALS

SPONSOR: Silvey

HANDLER: Schaefer

.	Governor	House
GR	\$ 49,542,193	\$ 49,522,090
FEDERAL	19,933,406	19,963,802
OTHER	42,447,188	42,540,285
.		
TOTAL	\$111,922,787	\$112,026,177

.	Senate	Final
GR	\$ 49,588,149	\$ 49,614,090
FEDERAL	19,923,208	19,963,802
OTHER	42,502,671	42,540,285
.		
TOTAL	\$112,014,028	\$112,118,177

.	JUDICIARY	
.	Governor	House
GR	\$173,877,559	\$ 170,814,312
FEDERAL	10,514,504	10,549,761
OTHER	13,610,326	13,626,679
.		
TOTAL	\$198,002,389	\$ 194,990,752

.	Senate	Final
GR	\$170,251,258	\$ 170,814,312
FEDERAL	10,510,312	10,549,761
OTHER	13,613,690	13,626,679
.		
TOTAL	\$194,375,260	\$ 194,990,752

.	PUBLIC DEFENDER	
.	Governor	House
GR	\$34,961,291	\$ 36,321,545
FEDERAL	125,000	125,000
OTHER	2,981,451	2,980,952
.		
TOTAL	\$38,067,742	\$ 39,427,497

.	Senate	Final
GR	\$35,981,064	\$ 36,321,545
FEDERAL	125,000	125,000

***** HB 2012 *** (Cont'd)**

SPONSOR: Silvey

HANDLER: Schaefer

OTHER	2,980,952	2,980,952
.		
TOTAL	<u>\$39,087,016</u>	<u>\$ 39,427,497</u>

. GENERAL ASSEMBLY

.	Governor	House
GR	\$32,072,769	\$ 32,036,389
FEDERAL	0	0
OTHER	293,033	292,509
.		
TOTAL	<u>\$32,365,802</u>	<u>\$ 32,328,898</u>

.	Senate	Final
GR	\$32,788,230	\$ 32,801,178
FEDERAL	0	0
OTHER	292,255	292,509
.		
TOTAL	<u>\$33,080,485</u>	<u>\$ 33,093,687</u>

DAN HAUG

***** HB 2013 *****

SPONSOR: Silvey

HANDLER: Schaefer

CCS/SS/SCS/HCS/HB 2013 - Statewide Leasing

.	Governor	House
GR	\$114,859,219	\$115,188,843
FEDERAL	21,875,132	21,896,084
OTHER	12,706,520	12,723,989
.		
TOTAL	<u>\$149,440,871</u>	<u>\$149,808,916</u>

.	Senate	Final
GR	\$112,304,971	\$112,403,741
FEDERAL	21,882,179	21,896,084
OTHER	15,496,713	15,509,091
.		
TOTAL	<u>\$149,683,863</u>	<u>\$149,808,916</u>

DAN HAUG

***** HB 2014 *****

SPONSOR: Silvey

HANDLER: Schaefer

HCS/HB 2014 - Supplemental Appropriations - Various Departments

SPONSOR: Silvey

HANDLER: Schaefer

.	Governor	House
GR	\$ 72,302,576	\$ 70,120,783
FEDERAL	62,878,278	60,830,247
OTHER	493,371	193.371
.		
TOTAL	\$135,674,225	\$131,144,401
.	Senate	Final
GR	\$ 70,120,783	\$ 70,120,783
FEDERAL	60,830,247	60,830,247
OTHER	193,371	193,371
.		
TOTAL	\$131,144,401	\$131,144,401
DAN HAUG		

*** HCR 8 ***

SPONSOR: Guernsey

HANDLER: Munzlinger

HCR 8 - This resolution disapproves the regulation filed by the State Tax Commission on December 23, 2011, that establishes new values for certain agricultural and horticultural property based on the land's productive capability. The State Tax Commission is required to set the value for each of the eight grades of agricultural land based upon productive capability for use by county assessors to determine property tax liabilities.

Section 137.021, RSMo, authorizes the General Assembly to disapprove any regulation containing new agricultural land values by a concurrent resolution adopted within the first sixty calendar days of the session following promulgation of such regulation.

This resolution also recommends the State Tax Commission review the current procedure for determining and establishing agricultural values.

This resolution is similar to SCR 19 (2012).

EMILY KALMER

*** HCR 33 ***

SPONSOR: Bernskoetter

SCS/HCS/HCR 33 - This resolution re-authorizes the Joint Interim Committee on State Employee Wages to study and develop strategies for increasing wages of state employees.

The Committee shall request the Office of Administration to invest in a consultant to conduct salary and compensation surveys.

JIM ERTLE

Abortion

- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
-

Administration, Office of

- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
SB 563 - Modifies provisions relating to higher education
HB 1094 - Requires the Commissioner of Administration to instruct all agencies to use certain payment systems, allows county health centers to use an electronic funds transfer system and creates the Missouri Revolving Information Trust Fund
HB 1231 - Gives state purchasing preference to Missouri forest products and bricks
HB 1820 - Authorizes the Governor to convey several pieces of state property
HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
-

Administrative Law

- SB 469 - Modifies provisions regarding administrative rules
HB 1135 - Modifies provisions regarding administrative rules
-

Administrative Rules

- SB 469 - Modifies provisions regarding administrative rules
HB 1135 - Modifies provisions regarding administrative rules
-

Agriculture and Animals

- SB 566 - Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
SB 599 - Modifies provisions relating to education
SB 631 - Modifies provisions relating to animals and agriculture
HB 1179 - Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water
HB 1462 - Extends the eligibility timeframe to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for lack of appropriations
HCR 8 - Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
-

Agriculture Dept.

- SB 566 - Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
SB 631 - Modifies provisions relating to animals and agriculture
HB 1462 - Extends the eligibility timeframe to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for lack of appropriations
HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
-

Aircraft and Airports

- SB 769 - Modifies and creates provisions relating to state and local standards
HB 1504 - Modifies provisions of law regarding sales taxes
HB 1909 - Modifies provisions of law regarding aviation
-

Alcohol

- SB 837 - Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
- HB 1498 - Modifies provisions relating to intoxicating beverages
- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
-

Ambulances and Ambulance Districts

- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1108 - Requires telecommunications and cell phone providers to provide call location information to law enforcement in emergency situations
-

Appropriations

- HB 1029 - Modifies duties of the Oversight Division of the Committee on Legislative Research
- HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
- HB 2001 - Appropriates money to the Board of Fund Commissioners
- HB 2002 - Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
- HB 2003 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
- HB 2004 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
- HB 2005 - Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
- HB 2006 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
- HB 2007 - Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations
- HB 2008 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
- HB 2009 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
- HB 2010 - Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services
- HB 2011 - Appropriates money for the expenses, grants, and distributions of the Department of Social Services
- HB 2012 - Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
- HB 2013 - Appropriates money for real property leases and related services
- HB 2014 - Appropriates money for supplemental purposes for several departments, offices of state government, payment of various claims for refunds, for persons, firms, corporations, other purposes, transfer money among funds
-

Architects

- HB 1280 - Creates a peer review process for architects, landscape architects, land surveyors, and engineers
-

Attorney General, State

- SB 837 - Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
- HB 1179 - Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water
- HB 1315 - Requires employers to grant a leave of absence to members of the United States Coast Guard Auxiliary when performing authorized duties
- HB 1549 - Modifies the state do-not-call list by allowing cell phone numbers on the list
-

Auditor, State

- SB 576 - Modifies provisions relating to charter schools
- HB 1251 - Modifies provisions relating to natural resources
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
-

Autism

- HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
-

Banks and Financial Institutions

- SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
- HB 1103 - Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission
- HB 1308 - Repeals a provision that allows certain securities to be acceptable collateral for public deposits depending on credit rating
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
-

Boards, Commissions, Committees, Councils

- SB 450 - Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
- SB 563 - Modifies provisions relating to higher education
- SB 576 - Modifies provisions relating to charter schools
- SB 595 - Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
- SB 599 - Modifies provisions relating to education
- SB 729 - Modifies provisions relating to county purchases
- SJR 51 - Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies
- HB 1042 - Modifies provisions relating to higher education
- HB 1103 - Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission

Boards, Commissions, Committees, Councils (cont'd)

- HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school
- HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school
- HB 1251 - Modifies provisions relating to natural resources
- HB 1731 - Modifies how gaming funds are used
- HB 1789 - Modifies provisions relating to travel hardships for public school students
- HB 1827 - Establishes the Missouri Electronic Prior Authorization Committee and pilot program
- HCR 8 - Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
- HCR 33 - Reauthorizes the Joint Intereim Committee on State Employee Wages
-

Boats and Watercraft

- SB 719 - Modifies various provisions relating to the regulation of transportation
- HB 1424 - Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers
-

Business and Commerce

- SB 611 - Modifies various provisions relating to the regulation of transportation
- SB 631 - Modifies provisions relating to animals and agriculture
- SB 837 - Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
- HB 1179 - Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water
- HB 1462 - Extends the eligibility timeframe to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for lack of appropriations
- HB 1498 - Modifies provisions relating to intoxicating beverages
- HB 1661 - Expands eligibility for the small business income tax deduction for new job creation
-

Charities

- SB 498 - Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
-

Children and Minors

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary
- HB 1171 - Modifies provisions relating to courts, including juvenile court jurisdiction and how Franklin County prosecutes county orders
- HB 1323 - Modifies provisions relating to child care services and child abuse and neglect investigations
- HB 1576 - Allows certain foster parents to purchase health insurance through the Missouri Consolidated Health Care Plan
- HB 1577 - Requires school districts to implement criteria for the enrollment and educational success of foster care children
- HB 1731 - Modifies how gaming funds are used

Children and Minors (cont'd)

- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
-

Circuit Clerk

- SB 636 - Modifies provisions relating to the judiciary
-

Cities, Towns and Villages

- SB 498 - Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
- SB 631 - Modifies provisions relating to animals and agriculture
- SB 636 - Modifies provisions relating to the judiciary
- HB 1250 - Modifies provisions relating to elections
- HB 1251 - Modifies provisions relating to natural resources
-

Civil Procedure

- HB 1495 - Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations
- HB 1527 - Modifies the laws relating to property exempt from execution or attachment
- HB 1647 - Modifies provisions relating to public safety
-

Commercial Code

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
-

Construction and Building Codes

- HB 1251 - Modifies provisions relating to natural resources
-

Consumer Protection

- HB 1549 - Modifies the state do-not-call list by allowing cell phone numbers on the list
-

Contracts and Contractors

- SB 729 - Modifies provisions relating to county purchases
- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1231 - Gives state purchasing preference to Missouri forest products and bricks
- HB 1251 - Modifies provisions relating to natural resources
-

Corrections Dept.

- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
-

Counties

- SB 569 - Modifies the law relating to elections, law enforcement districts, and transit authority taxes
- SB 729 - Modifies provisions relating to county purchases

Counties (cont'd)

- SB 736 - Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
- SB 736 - Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
- HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
- HB 1106 - Modifies provisions relating to county officers
- HB 1251 - Modifies provisions relating to natural resources
- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
-

County Government

- SB 729 - Modifies provisions relating to county purchases
- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1106 - Modifies provisions relating to county officers
- HB 1340 - Allows a county commission to appoint an interim county clerk, auditor, or assessor in the event of a vacancy who shall serve until the Governor appoints a replacement
-

County Officials

- SB 569 - Modifies the law relating to elections, law enforcement districts, and transit authority taxes
- HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
- HB 1106 - Modifies provisions relating to county officers
- HB 1340 - Allows a county commission to appoint an interim county clerk, auditor, or assessor in the event of a vacancy who shall serve until the Governor appoints a replacement
-

Courts

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary
- SB 729 - Modifies provisions relating to county purchases
- SB 755 - Enacts the "House of Worship Protection Act"
- SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
- SB 837 - Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
- HB 1460 - Extends the sunset of a court fee for court automation and the time for use of such moneys
- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
- HB 1527 - Modifies the laws relating to property exempt from execution or attachment
- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
-

Courts, Juvenile

- HB 1171 - Modifies provisions relating to courts, including juvenile court jurisdiction and how Franklin County prosecutes county orders
-

Crimes and Punishment

- SB 489 - Modifies provisions relating to weapons
 - SB 568 - Modifies various provisions relating to transportation
 - SB 628 - Modifies provisions relating to the judiciary
 - SB 631 - Modifies provisions relating to animals and agriculture
 - SB 689 - Modifies provisions relating to crimes committed against the elderly and disabled
 - SB 755 - Enacts the "House of Worship Protection Act"
 - SB 769 - Modifies and creates provisions relating to state and local standards
 - SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
 - HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
-

Criminal Procedure

- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
 - HB 1647 - Modifies provisions relating to public safety
-

Disabilities

- SB 689 - Modifies provisions relating to crimes committed against the elderly and disabled
 - HB 1172 - Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
-

Domestic Relations

- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
-

Drugs and Controlled Substances

- SB 628 - Modifies provisions relating to the judiciary
 - HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
-

Easements and Conveyances

- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
-

Economic Development

- HB 1661 - Expands eligibility for the small business income tax deduction for new job creation
 - HB 1680 - Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it
-

Economic Development Dept.

- SB 631 - Modifies provisions relating to animals and agriculture
 - HB 1680 - Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it
 - HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
-

Education, Elementary and Secondary

- SB 450 - Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
 - SB 576 - Modifies provisions relating to charter schools
 - SB 595 - Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
 - SB 599 - Modifies provisions relating to education
 - SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
 - HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
 - HB 1577 - Requires school districts to implement criteria for the enrollment and educational success of foster care children
 - HB 1731 - Modifies how gaming funds are used
 - HB 1789 - Modifies provisions relating to travel hardships for public school students
-

Education, Higher

- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
 - SB 563 - Modifies provisions relating to higher education
 - SB 576 - Modifies provisions relating to charter schools
 - SB 631 - Modifies provisions relating to animals and agriculture
 - HB 1042 - Modifies provisions relating to higher education
 - HB 1731 - Modifies how gaming funds are used
-

Elderly

- SB 689 - Modifies provisions relating to crimes committed against the elderly and disabled
-

Elections

- SB 569 - Modifies the law relating to elections, law enforcement districts, and transit authority taxes
 - HB 1036 - Repeals a provision requiring party emblems to be printed on ballots above party captions and modifies election dates
 - HB 1106 - Modifies provisions relating to county officers
 - HB 1236 - Modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates
 - HB 1250 - Modifies provisions relating to elections
-

Elementary and Secondary Education Dept.

- SB 576 - Modifies provisions relating to charter schools
- SB 595 - Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
- SB 599 - Modifies provisions relating to education
- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1042 - Modifies provisions relating to higher education
- HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school
- HB 1577 - Requires school districts to implement criteria for the enrollment and educational success of foster care children
- HB 1789 - Modifies provisions relating to travel hardships for public school students

Elementary and Secondary Education Dept. (cont'd)

- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
-

Emergencies

- HB 1251 - Modifies provisions relating to natural resources
- HB 1318 - Modifies provisions relating to children's services and establishes "Sam Pratt's Law"
- HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
- HB 1647 - Modifies provisions relating to public safety
-

Employees - Employers

- SB 572 - Modifies the law relating to workers' compensation
- HB 1219 - Modifies the law relating to the Missouri Human Rights Act and employment discrimination
- HB 1315 - Requires employers to grant a leave of absence to members of the United States Coast Guard Auxiliary when performing authorized duties
- HB 1318 - Modifies provisions relating to children's services and establishes "Sam Pratt's Law"
- HB 1540 - Modifies the law relating to co-employee liability in workers' compensation
-

Energy

- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1462 - Extends the eligibility timeframe to receive payments from the Missouri Qualified Biodiesel Producer Incentive Fund for lack of appropriations
-

Engineers

- HB 1280 - Creates a peer review process for architects, landscape architects, land surveyors, and engineers
-

Environmental Protection

- HB 1251 - Modifies provisions relating to natural resources
-

Estates, Wills and Trusts

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary
-

Fairs

- SB 631 - Modifies provisions relating to animals and agriculture
-

Family Law

- HB 1171 - Modifies provisions relating to courts, including juvenile court jurisdiction and how Franklin County prosecutes county orders
- HB 1323 - Modifies provisions relating to child care services and child abuse and neglect investigations

Family Law (cont'd)

- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
- HB 1758 - Modifies provisions relating to custody/visitation rights for those with a parent/child relationship, military parents and race consideration in adoption proceedings
-

Federal - State Relations

- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
- HB 1131 - Requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee
-

Fees

- SB 628 - Modifies provisions relating to the judiciary
- SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
- HB 1251 - Modifies provisions relating to natural resources
- HB 1460 - Extends the sunset of a court fee for court automation and the time for use of such moneys
- HB 1647 - Modifies provisions relating to public safety
-

Fire Protection

- SB 729 - Modifies provisions relating to county purchases
- SB 769 - Modifies and creates provisions relating to state and local standards
- HB 1647 - Modifies provisions relating to public safety
-

Firearms and Fireworks

- SB 489 - Modifies provisions relating to weapons
- SB 835 - Modifies references to fireworks classifications
-

Gambling

- HB 1644 - Modifies the licensing period for certain licenses issued by the Missouri Gaming Commission
- HB 1731 - Modifies how gaming funds are used
-

General Assembly

- SB 464 - Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
- SB 576 - Modifies provisions relating to charter schools
- HB 1029 - Modifies duties of the Oversight Division of the Committee on Legislative Research
- HB 1042 - Modifies provisions relating to higher education
- HCR 33 - Reauthorizes the Joint Intereim Committee on State Employee Wages
-

Governor & Lt. Governor

- SB 464 - Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
- SB 562 - Modifies provisions relating to the transfer of property by certain state universities
- SB 563 - Modifies provisions relating to higher education

Governor & Lt. Governor (cont'd)

- SB 576 - Modifies provisions relating to charter schools
- SB 576 - Modifies provisions relating to charter schools
- SB 665 - Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission
- SJR 51 - Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies
- HB 1042 - Modifies provisions relating to higher education
- HB 1128 - Authorizes certain military honors and days of observance
- HB 1340 - Allows a county commission to appoint an interim county clerk, auditor, or assessor in the event of a vacancy who shall serve until the Governor appoints a replacement
- HB 1820 - Authorizes the Governor to convey several pieces of state property
-

Health Care

- SB 682 - Requires that certain pain management techniques be performed by licensed physicians
- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
- HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school
- HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
-

Health Care Professionals

- SB 682 - Requires that certain pain management techniques be performed by licensed physicians
-

Health Dept.

- HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
-

Health, Public

- SB 566 - Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
-

Higher Education Dept.

- SB 576 - Modifies provisions relating to charter schools
-

Highway Patrol

- SB 625 - Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
- SB 631 - Modifies provisions relating to animals and agriculture
- SB 719 - Modifies various provisions relating to the regulation of transportation
- SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
- HB 1424 - Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers
-

Housing

HB 1219 - Modifies the law relating to the Missouri Human Rights Act and employment discrimination

Insurance - General

HB 1112 - Modifies various provisions related to health and life insurance
HB 1495 - Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations

Insurance - Life

HB 1112 - Modifies various provisions related to health and life insurance

Insurance - Medical

SB 464 - Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
HB 1039 - Allows LAGERS retirees to deduct premiums for health insurance or long-term care from their retirement allowance
HB 1576 - Allows certain foster parents to purchase health insurance through the Missouri Consolidated Health Care Plan

Insurance Dept.

HB 1112 - Modifies various provisions related to health and life insurance
HB 1495 - Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations
HB 1827 - Establishes the Missouri Electronic Prior Authorization Committee and pilot program

Judges

SJR 51 - Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies

Kansas City

SB 576 - Modifies provisions relating to charter schools
SB 729 - Modifies provisions relating to county purchases
HB 1504 - Modifies provisions of law regarding sales taxes
HB 1659 - Authorizes the establishment of a land bank agency in Kansas City

Labor and Industrial Relations Dept.

SB 572 - Modifies the law relating to workers' compensation
HB 1540 - Modifies the law relating to co-employee liability in workers' compensation

Lakes, Rivers and Waterways

SB 729 - Modifies provisions relating to county purchases

Law Enforcement Officers and Agencies

SB 489 - Modifies provisions relating to weapons
SB 569 - Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 631 - Modifies provisions relating to animals and agriculture

Law Enforcement Officers and Agencies (cont'd)

- SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
- SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
- HB 1108 - Requires telecommunications and cell phone providers to provide call location information to law enforcement in emergency situations

Liability

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary
- SB 755 - Enacts the "House of Worship Protection Act"
- HB 1280 - Creates a peer review process for architects, landscape architects, land surveyors, and engineers
- HB 1540 - Modifies the law relating to co-employee liability in workers' compensation

Libraries and Archives

- HB 1504 - Modifies provisions of law regarding sales taxes

Licenses - Driver's

- SB 470 - Modifies various provisions relating to transportation

Licenses - Misc

- HB 1498 - Modifies provisions relating to intoxicating beverages
- HB 1644 - Modifies the licensing period for certain licenses issued by the Missouri Gaming Commission

Licenses - Motor Vehicle

- SB 470 - Modifies various provisions relating to transportation
- SB 636 - Modifies provisions relating to the judiciary
- SB 719 - Modifies various provisions relating to the regulation of transportation
- HB 1141 - Changes the laws regarding the "Don't Tread on Me" special license plate
- HB 1329 - Modifies the law regarding the issuance of temporary permit tags and the collection of sales taxes on motor vehicles, trailers, boats, and outboard motors
- HB 1402 - Modifies various provisions relating to transportation
- HB 1807 - Designates several highways in the state of Missouri and creates several special license plates
- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing

Licenses - Professional

- SB 631 - Modifies provisions relating to animals and agriculture
- SB 682 - Requires that certain pain management techniques be performed by licensed physicians
- SB 729 - Modifies provisions relating to county purchases

Liens

- SB 485 - Modifies the law governing liens
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
- HB 1527 - Modifies the laws relating to property exempt from execution or attachment

Manufactured Housing

HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers

Marriage and Divorce

SB 636 - Modifies provisions relating to the judiciary

Medical Procedures and Personnel

SB 682 - Requires that certain pain management techniques be performed by licensed physicians

HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school

Mental Health Dept.

HB 1318 - Modifies provisions relating to children's services and establishes "Sam Pratt's Law"

Merchandising Practices

SB 498 - Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas

SB 837 - Modifies what is considered to be a franchise between alcohol wholesalers and suppliers

Military Affairs

SB 715 - Allows the Adjutant General to waive the age limit for service in the state militia and repeals a complaint procedure for the state militia

HB 1105 - Allows the Adjutant General to waive the age limit for service in the state militia

HB 1128 - Authorizes certain military honors and days of observance

HB 1315 - Requires employers to grant a leave of absence to members of the United States Coast Guard Auxiliary when performing authorized duties

HB 1680 - Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it

Mining and Oil and Gas Production

HB 1251 - Modifies provisions relating to natural resources

Mortgages and Deeds

HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers

Motor Carriers

SB 470 - Modifies various provisions relating to transportation

SB 480 - Modifies law with respect to motor vehicles and outboard motor titles

HB 1402 - Modifies various provisions relating to transportation

Motor Fuel

SB 611 - Modifies various provisions relating to the regulation of transportation

SB 631 - Modifies provisions relating to animals and agriculture

Motor Vehicles

SB 480 - Modifies law with respect to motor vehicles and outboard motor titles

SB 568 - Modifies various provisions relating to transportation

Motor Vehicles (cont'd)

- SB 631 - Modifies provisions relating to animals and agriculture
 - SB 631 - Modifies provisions relating to animals and agriculture
 - HB 1150 - Modifies the law with respect to the issuance of certificates of titles
 - HB 1329 - Modifies the law regarding the issuance of temporary permit tags and the collection of sales taxes on motor vehicles, trailers, boats, and outboard motors
 - HB 1402 - Modifies various provisions relating to transportation
 - HB 1424 - Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers
 - HB 1647 - Modifies provisions relating to public safety
-

National Guard

- SB 715 - Allows the Adjutant General to waive the age limit for service in the state militia and repeals a complaint procedure for the state militia
 - HB 1105 - Allows the Adjutant General to waive the age limit for service in the state militia
 - HB 1128 - Authorizes certain military honors and days of observance
-

Natural Resources Dept.

- SB 769 - Modifies and creates provisions relating to state and local standards
 - HB 1179 - Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water
 - HB 1251 - Modifies provisions relating to natural resources
-

Newspapers and Publications

- HB 1251 - Modifies provisions relating to natural resources
-

Nurses

- SB 682 - Requires that certain pain management techniques be performed by licensed physicians
 - HB 1188 - Allows school boards to authorize a school nurse to maintain a supply of asthma-related rescue medications at the school
 - HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
-

Parks and Recreation

- HB 1251 - Modifies provisions relating to natural resources
 - HB 1504 - Modifies provisions of law regarding sales taxes
-

Pharmacy

- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
 - HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
 - HB 1827 - Establishes the Missouri Electronic Prior Authorization Committee and pilot program
-

Physicians

- SB 682 - Requires that certain pain management techniques be performed by licensed physicians

Physicians (cont'd)

- HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
- HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
-

Political Parties

- HB 1236 - Modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates
-

Political Subdivisions

- SB 450 - Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
- SB 628 - Modifies provisions relating to the judiciary
- SB 729 - Modifies provisions relating to county purchases
- HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
-

Prisons and Jails

- SB 628 - Modifies provisions relating to the judiciary
- SB 729 - Modifies provisions relating to county purchases
- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
-

Probation and Parole

- HB 1525 - Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
-

Property, Real and Personal

- SB 563 - Modifies provisions relating to higher education
- SB 631 - Modifies provisions relating to animals and agriculture
- SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
- SB 665 - Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission
- SB 729 - Modifies provisions relating to county purchases
- SB 755 - Enacts the "House of Worship Protection Act"
- HB 1103 - Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission
- HB 1527 - Modifies the laws relating to property exempt from execution or attachment
- HB 1659 - Authorizes the establishment of a land bank agency in Kansas City
- HB 1818 - Classifies time-share units as residential property for property tax purposes when the units are not rented and requires county assessors to consider certain factors when assessing real estate
- HB 1820 - Authorizes the Governor to convey several pieces of state property
- HCR 8 - Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission

Public Buildings

- SB 755 - Enacts the "House of Worship Protection Act"
HB 1219 - Modifies the law relating to the Missouri Human Rights Act and employment discrimination
-

Public Records, Public Meetings

- SB 729 - Modifies provisions relating to county purchases
-

Public Safety Dept.

- SB 769 - Modifies and creates provisions relating to state and local standards
SB 789 - Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
HB 1251 - Modifies provisions relating to natural resources
HB 1647 - Modifies provisions relating to public safety
HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing
-

Public Service Commission

- SB 769 - Modifies and creates provisions relating to state and local standards
HB 1108 - Requires telecommunications and cell phone providers to provide call location information to law enforcement in emergency situations
HB 1647 - Modifies provisions relating to public safety
-

Religion

- SB 749 - Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
-

Retirement - Local Government

- HB 1039 - Allows LAGERS retirees to deduct premiums for health insurance or long-term care from their retirement allowance
-

Retirement - State

- SB 625 - Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
-

Retirement Systems and Benefits - General

- SB 625 - Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
-

Revenue Dept.

- SB 470 - Modifies various provisions relating to transportation
SB 611 - Modifies various provisions relating to the regulation of transportation
SB 628 - Modifies provisions relating to the judiciary
SB 719 - Modifies various provisions relating to the regulation of transportation
HB 1131 - Requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee
HB 1141 - Changes the laws regarding the "Don't Tread on Me" special license plate
HB 1150 - Modifies the law with respect to the issuance of certificates of titles

Revenue Dept. (cont'd)

- HB 1329 - Modifies the law regarding the issuance of temporary permit tags and the collection of sales taxes on motor vehicles, trailers, boats, and outboard motors
- HB 1329 - Modifies the law regarding the issuance of temporary permit tags and the collection of sales taxes on motor vehicles, trailers, boats, and outboard motors
- HB 1402 - Modifies various provisions relating to transportation
- HB 1661 - Expands eligibility for the small business income tax deduction for new job creation
- HB 1909 - Modifies provisions of law regarding aviation
-

Roads and Highways

- SB 470 - Modifies various provisions relating to transportation
- SB 568 - Modifies various provisions relating to transportation
- SB 607 - Establishes procedure for resetting billboards during periods of highway construction
- SB 611 - Modifies various provisions relating to the regulation of transportation
- SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
- SB 736 - Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
- HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
- HB 1251 - Modifies provisions relating to natural resources
- HB 1402 - Modifies various provisions relating to transportation
- HB 1807 - Designates several highways in the state of Missouri and creates several special license plates
-

Saint Louis

- SB 576 - Modifies provisions relating to charter schools
- HB 1504 - Modifies provisions of law regarding sales taxes
-

Saint Louis County

- HB 1504 - Modifies provisions of law regarding sales taxes
-

Salaries

- HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
- HCR 33 - Reauthorizes the Joint Intereim Committee on State Employee Wages
-

Search and Seizure

- SB 631 - Modifies provisions relating to animals and agriculture
-

Secretary of State

- SB 569 - Modifies the law relating to elections, law enforcement districts, and transit authority taxes
- SB 631 - Modifies provisions relating to animals and agriculture
- HB 1036 - Repeals a provision requiring party emblems to be printed on ballots above party captions and modifies election dates
- HB 1236 - Modifies the paperwork requirements for the formation of a new political party and the nomination of independent candidates
- HB 1250 - Modifies provisions relating to elections

Securities

- SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
- HB 1308 - Repeals a provision that allows certain securities to be acceptable collateral for public deposits depending on credit rating

Sexual Offenses

- SB 628 - Modifies provisions relating to the judiciary
- SB 636 - Modifies provisions relating to the judiciary

Social Services Dept.

- HB 1131 - Requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee
- HB 1172 - Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
- HB 1563 - Modifies provisions relating to school social workers, prescription drugs, collaborative practice arrangements, behavior analysts, and an employee disqualification list
- HB 1577 - Requires school districts to implement criteria for the enrollment and educational success of foster care children
- HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing

State Departments

- SB 469 - Modifies provisions regarding administrative rules
- HB 1094 - Requires the Commissioner of Administration to instruct all agencies to use certain payment systems, allows county health centers to use an electronic funds transfer system and creates the Missouri Revolving Information Trust Fund
- HB 1135 - Modifies provisions regarding administrative rules
- HB 1400 - Modifies provisions relating to security interests and financial transactions of political subdivisions and residential mortgage loan brokers
- HB 1608 - Repeals unfunded and obsolete state programs and establishes expiration dates for specified provisions
- HB 1900 - Modifies numerous statutes to reflect executive agency reorganization as well provisions regarding investments in Iran's energy sector, voluntary annexation, persons with disabilities and tax increment financing

State Employees

- SB 625 - Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
- HB 1315 - Requires employers to grant a leave of absence to members of the United States Coast Guard Auxiliary when performing authorized duties
- HCR 33 - Reauthorizes the Joint Intereim Committee on State Employee Wages

Surveyors

- HB 1251 - Modifies provisions relating to natural resources

Surveyors (cont'd)

- HB 1280 - Creates a peer review process for architects, landscape architects, land surveyors, and engineers
- HB 1280 - Creates a peer review process for architects, landscape architects, land surveyors, and engineers
-

Tax Credits

- SB 631 - Modifies provisions relating to animals and agriculture
- HB 1172 - Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
- HB 1661 - Expands eligibility for the small business income tax deduction for new job creation
-

Taxation and Revenue - Income

- SB 611 - Modifies various provisions relating to the regulation of transportation
- HB 1172 - Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
- HB 1661 - Expands eligibility for the small business income tax deduction for new job creation
-

Taxation and Revenue - Property

- SB 736 - Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
- HB 1659 - Authorizes the establishment of a land bank agency in Kansas City
- HB 1818 - Classifies time-share units as residential property for property tax purposes when the units are not rented and requires county assessors to consider certain factors when assessing real estate
- HCR 8 - Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
-

Taxation and Revenue - Sales and Use

- SB 480 - Modifies law with respect to motor vehicles and outboard motor titles
- HB 1329 - Modifies the law regarding the issuance of temporary permit tags and the collection of sales taxes on motor vehicles, trailers, boats, and outboard motors
- HB 1504 - Modifies provisions of law regarding sales taxes
- HB 1909 - Modifies provisions of law regarding aviation
-

Telecommunications

- HB 1108 - Requires telecommunications and cell phone providers to provide call location information to law enforcement in emergency situations
- HB 1460 - Extends the sunset of a court fee for court automation and the time for use of such moneys
- HB 1549 - Modifies the state do-not-call list by allowing cell phone numbers on the list
-

Tobacco Products

- HB 1731 - Modifies how gaming funds are used
-

Transportation

- SB 470 - Modifies various provisions relating to transportation
- SB 568 - Modifies various provisions relating to transportation
- SB 607 - Establishes procedure for resetting billboards during periods of highway construction

Transportation (cont'd)

- SB 611 - Modifies various provisions relating to the regulation of transportation
 - SB 611 - Modifies various provisions relating to the regulation of transportation
 - HB 1037 - Allows road district commissioners to receive compensation for their services of up to \$100 per month
 - HB 1150 - Modifies the law with respect to the issuance of certificates of titles
 - HB 1402 - Modifies various provisions relating to transportation
 - HB 1807 - Designates several highways in the state of Missouri and creates several special license plates
 - HB 1820 - Authorizes the Governor to convey several pieces of state property
-

Transportation Dept.

- SB 470 - Modifies various provisions relating to transportation
 - SB 568 - Modifies various provisions relating to transportation
 - SB 607 - Establishes procedure for resetting billboards during periods of highway construction
 - SB 611 - Modifies various provisions relating to the regulation of transportation
 - SB 625 - Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
 - SB 665 - Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission
 - SB 719 - Modifies various provisions relating to the regulation of transportation
 - HB 1402 - Modifies various provisions relating to transportation
 - HB 1807 - Designates several highways in the state of Missouri and creates several special license plates
 - HB 1820 - Authorizes the Governor to convey several pieces of state property
-

Treasurer, State

- SB 635 - Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
 - HB 1308 - Repeals a provision that allows certain securities to be acceptable collateral for public deposits depending on credit rating
 - HB 1424 - Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers
-

Unemployment Compensation

- HB 1131 - Requires the withholding form that is equivalent to the federal W-4 form to include the date services for remuneration were first performed by the employee
-

Utilities

- SB 769 - Modifies and creates provisions relating to state and local standards
 - HB 1108 - Requires telecommunications and cell phone providers to provide call location information to law enforcement in emergency situations
 - HB 1647 - Modifies provisions relating to public safety
-

Veterans

- SB 498 - Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
- HB 1680 - Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it

Veterans (cont'd)

HB 1731 - Modifies how gaming funds are used

HB 1731 - Modifies how gaming funds are used

Veterinarians

SB 566 - Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal

Victims of Crime

SB 755 - Enacts the "House of Worship Protection Act"

Waste - Hazardous

HB 1647 - Modifies provisions relating to public safety

Waste - Solid

HB 1251 - Modifies provisions relating to natural resources

Water Patrol

SB 719 - Modifies various provisions relating to the regulation of transportation

HB 1424 - Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers

Water Resources and Water Districts

HB 1179 - Prohibits large water consumers from taking water outside of the Southeast Missouri Regional Water District if such activity interferes with certain others' use of the water

HB 1251 - Modifies provisions relating to natural resources

Weapons

SB 489 - Modifies provisions relating to weapons

HB 1647 - Modifies provisions relating to public safety

Workers Compensation

SB 572 - Modifies the law relating to workers' compensation

HB 1540 - Modifies the law relating to co-employee liability in workers' compensation
